

[5th February 1923]

Promotion of compounders.

783 Q.—Mr. W. P. A. SAUNDARAPANDIA NADAR: Will the hon. the Minister for Local Self-Government be pleased to state whether a compounder who has been in receipt of a salary of Rs. 35 or less may be promoted to the selection grade on Rs. 50 if he has the necessary qualifications?

A.—There is no objection to such promotion provided the total sanctioned number of appointments in the selection grade is not exceeded.

Memorial from the cartmen of Srivilliputtur.

784 Q.—Diwan Bahadur T. N. SIVAGNANAM PILLAI: Will the hon. the Law Member be pleased to state whether Government have received a memorial from the cartmen of Srivilliputtur, Ramnad district, praying for the cancellation of the notification extending the provisions of the Stage Carriage Act of 1861 to the Srivilliputtur-Sattur road from the 1st January 1923 and what orders have been passed thereon?

A.—Yes; the memorial is under consideration.

Failure of crops in Kurnool district.

785 Q.—Rao Bahadur C. V. RANGA REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) in how many villages in the Kurnool district there has been failure of crops;

(b) how many of those villages were affected last year also;

(c) whether any report has been submitted by the Collector to Government as regards the state of the season in the Kurnool district; and

(d) if not, whether the Government will be pleased to call for such a report at once?

A.—(a) & (b) The Government have no information.

(c) & (d) A report was called for from the Collector and its receipt is awaited.

III

A BILL TO PROVIDE FOR THE REORGANIZATION OF THE MADRAS UNIVERSITY, 1922—cont.

The following amendments were not moved:—

New clause after clause 26.

Mr. M. SURYANARAYANA:—

174-A. (i) Insert the following as clause 27:—

‘27. The Councils of Affiliated Colleges shall have power—

(a) to make rules for affiliated colleges subject to the approval of the Senate regarding the conditions of affiliation and to forward to the Senate applications for affiliation to the University;

(b) to constitute in accordance with any ordinance passed by the Syndicate, committees of courses of study for the various subjects or groups of subjects included in the courses for affiliated colleges, provided that in each such committee the majority of the members shall be teachers in affiliated colleges;

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New clause after clause 26—cont.

- (c) to arrange for holding examinations in the prescribed manner subject to the general control of the Syndicate or to arrange subject to such financial adjustment as may be agreed upon between the Council and the Syndicate, for the use of the same papers used in the corresponding examinations of the university or for the appointment of the same examiners.'

(ii) *Re-number the subsequent clauses.*

Clause 27.

Rao Bahadur C. V. S. NARASIMHA RAJU :—

175. *For this clause substitute the following :—*

'27 (1) The Council of Affiliated Colleges shall have the following powers :—

- (a) with the previous sanction of the Senate, to constitute, in accordance with the Ordinances, committees of courses of studies in the various subjects or groups of subjects included in the courses of affiliated colleges ;

Provided that in each such committee at least three-fourths of the members shall be teachers in affiliated colleges, and two members shall be appointed by the Academic Council ;

- (b) to appoint such special or standing committees as it may consider desirable ;

- (c) to advise the Syndicate and the Academic Council on any matter affecting affiliated colleges ;

- (d) to submit draft Regulations and Ordinances to the Academic Council or to the Syndicate as the case may be ;

- (e) to advise the Syndicate on the affiliation of any institution beyond the limits of the university ; and

- (f) to advise the Academic Council on all matters referred to in section 24, clauses (c), (e), (g) and (j).

- (2) The Council of Affiliated Colleges shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.'

Sub-clause (1).

Khan Sahib A. P. I. SAHYID IBRAHIM RAVUTTAR :—

176. *For the words ' the council ' substitute the words ' the two councils.'*

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Sir, I beg to move—

177. (i) *Insert the following as items (a), (b), (c) and (d) :—*

- ' (a) to make, subject to the approval of the Senate, rules prescribing the conditions of affiliation ;

- (b) to forward to the Senate applications for affiliation to the university ;

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Clause 27—cont.

(c) to constitute in accordance with any Ordinance passed by the Syndicate, committees of courses of study for the various subjects or groups of subjects included in the courses for affiliated colleges, provided that in each such committee the majority of the members shall be teachers in affiliated colleges;

(d) to arrange subject to the control of the Syndicate for holding examinations in the prescribed manner and to arrange subject to such financial adjustment as may be agreed upon between the council and for the appointment of the same examiner and the Syndicate, for the use of same papers used in different examinations of the university.

(ii) *Re-letter the existing items.*

"Sir, this amendment substantially raises the question of the position of the Council of Affiliated Colleges under this Bill. As has been explained by me in the minute of dissent in the Report of the Select Committee on this Bill, I think that the scheme in this Bill as regards the Council of Affiliated Colleges is entirely different from what the Saddler Commission had in mind. As I explained, Sir, the scheme recommended by that Commission was intended to secure for the mufassal colleges a certain degree of academical autonomy and adaptation of courses of study to the needs of students, under the *aegis* and supervision of the residential university. The Commission suggested that the Mufassal Board, which corresponds to the Council of Affiliated Colleges, should normally have some amount of independence and responsibility in shaping the courses of study for students of the mufassal colleges and that it must have some power to conduct the examinations of the mufassal colleges, to recommend examiners appointed and generally, if necessary, to adopt the same papers in the corresponding examinations of the teaching university. Hon. Members will therefore see that according to the Saddler Commission, this Council of Affiliated Colleges, or what they call the Mufassal Board, will have the same amount of work to do and the same amount of academic independence in shaping the courses of study in the mufassal colleges. Now, the scheme outlined in this Bill originally provided for some of the items included in my amendment. For instance item (c) was found in the original draft of the Bill.

"I submit the conditions of affiliation of mufassal colleges is particularly a subject within the competence of the Council of Affiliated Colleges. Of course, after framing, the rules prescribing the conditions of affiliation will come up again before the Senate. The applications for affiliation also are a matter over which the Council of Affiliated Colleges should have some power, and I suggest that these applications should go to the Senate through the Council of Affiliated Colleges. Then, Sir, clause (c) of this amendment was provided in the original Bill but it was dropped subsequently by the Select Committee. Clause (d) was again, is a recommendation of the Saddler Commission.

"Sir, if we should create a Council of Affiliated Colleges consisting of nearly a hundred representatives merely for such advisory functions as we have specified in this revised Bill it was my deliberate opinion and I still

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Clause 27—cont.

continue to hold the same view, that it is not at all necessary to have a Council of Affiliated Colleges. It seems to me that if this Council is to function properly, it must have some amount of influence in administering the affairs of these colleges and it is for this reason that I have tabled this amendment. It was suggested that some of the persons consulted from the mufassal colleges were not in favour of this view. I am not at all convinced that it was so. And the views expressed by some of the mufassal colleges now sufficiently fortify me in my belief. I saw a note prepared by the Director of Public Instruction on the conference of six principals of colleges in the mufassal, and from a perusal of that note, it is quite evident that some of them suggested that a provision was necessary in the Bill for separate examinations and courses of study being included in the future, as the trend of academic opinion showed that it was desired. I propose in this amendment to give liberty to the Council of Affiliated Colleges to adopt the same or different examinations 'as the trend of academic opinion shows which is desirable', in the words of those that were consulted. Therefore, I submit, Sir, that this proposal is perfectly reasonable and looking at the fact that in the Bill as published for criticism some of these powers were originally proposed to be conferred, I submit that there is no reason for not accepting this amendment."

Rao Bahadur C. V. S. NARASIMHARAJU :—"I second it."

The hon. Rao Bahadur A. P. PATRO :—"Sir, my hon. friend is quite right in quoting the recommendation of the Saddler Commission with reference to the powers to be given to the Council of Affiliated Colleges. We had introduced the provision he referred to in the first draft that was circulated for criticism. There are, however, two fundamental differences between the colleges in Calcutta and the colleges in Madras. Hence, there was opposition from the mufassal colleges themselves when we wanted to have a provision like this in the Bill. The mufassal colleges in Bengal are very much inferior to the colleges in Calcutta. There is a good deal of disparity in the standard of education and instruction in the two sets of colleges. But in this Presidency there is no such disparity, so that if the recommendation of the Saddler Commission is carried into effect in every direction, it is inevitable that the mufassal colleges will be placed in a more disadvantageous position than the city colleges. In order to safeguard the interests of the mufassal colleges the provision was suggested by the Saddler Commission. But the difference between Calcutta and Madras is apparent. In Madras, the colleges in the mufassal—it will be admitted—very many of them, are as good as those in the city. Therefore to apply the recommendation in the case of colleges where the standard is almost equal seems to me to be wrong in principle.

"The second point is this: When the suggestion was published, the mufassal colleges themselves raised the objection: 'Are we to have two sets of examinations?' Already it is said that graduates of the Madras colleges are considered to be superior to the graduates of the mufassal colleges. Are you going to still further accentuate this difference by further giving an inferior brand to the mufassal graduates? This objection was raised against the suggestion and therefore it was dropped in the final Bill.

[Mr. A. P. Patro]

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Clause 27—cont.

“I hope my hon. friend, the mover, will realize that in the interests of the mufassal colleges themselves, it will not at all be desirable that such separate examinations should be introduced at once, and if there is any such need for further considering the question of examinations”

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—“ May I just explain, Sir. Perhaps my hon. friend is under the impression that I am asking that the mufassal colleges should be at once put under a separate system. My amendment merely gives the mufassal colleges power which, if they like at a later stage to have a separate set of examinations, they can exercise.”

The hon. Rao Bahadur A. P. PATRO :—“ I am glad that he does not want the change at once. Then, Sir, there are provisions already in the Bill which empower both the Senate and Syndicate to consider this question. In clause 27 there are sufficient powers given to the Council of Affiliated Colleges, as

(a) to make proposals to the Syndicate or the Academic Council as the case may be to supplement the teaching provided by the affiliated colleges and (b) to appoint such special or standing committees as it may consider desirable.”

When the mufassal colleges feel that there should be separate examinations and separate courses of study, the Council of Affiliated Colleges has got the power to make proposals to the Syndicate or the Academic Council as the case may be. Item (c) is important because it gives power to advise the Syndicate and the Academic Council on any matter affecting affiliated colleges. Then the Council of Affiliated Colleges has got the power to submit draft Regulations and Ordinances to the Academic Council or to the Syndicate as the case may be, to advise the Syndicate on the affiliation of any institution beyond the limits of the university. Item (h) empowers the Council of Affiliated Colleges to recommend to the Syndicate the number of persons suitable for appointment as Examiners and Assistant Examiners, and (i) provides that the Council of Affiliated Colleges is empowered to advise the Academic Council on all matters referred to in clause 24, sub-clauses (c), (e), (g) and (j).

“Therefore paragraphs (c), (h) and (i) of clause 27 give ample power in the present Bill itself to enable the Council of Affiliated Colleges to recommend separate courses of study if after some experience they find it necessary. My hon. friend's desire is therefore met by the provisions of clause 27 under which the Council of Affiliated Colleges are given the power to advise and to prepare draft Regulations necessary for the purpose.”

The Rev. W. MESTON :—“ Sir, I desire to oppose this amendment. I feel that at this time of the day, long speeches are hardly necessary or proper. Therefore I would confine myself to only a few sentences in regard to this amendment. If the Council of Affiliated Colleges were only an advisory body, it would have enough work and to spare. But under the provisions in this clause the Council of Affiliated Colleges has to devote attention to a great many points which are of more than an advisory nature. It is entrusted with the power of preparing plans for concentration of studies and so on according to sub-clause (j) ; and under sub-clause (b) it has got power to appoint special or standing committees and under section (2) it is given still further powers. So, even as it is, it has got large powers. That is my first point.

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[Rev. W. Meston]

Clause 27—cont.

“My second point is that we should have only one executive. The present proposal brings out a desire to have really two executives in the university—a provision which is made all the more clear when we come to some of the subsequent amendments on the agenda. If we are to have two executives, then there will be the risk of friction; and when that comes about, the mufassal colleges will undoubtedly suffer, and the amendment which has been introduced in their interests will turn out to their disadvantage.”

“The third point that I would bring to the notice of this House is that there is an attempt in this amendment really to set up something approximating to another university outside the university in Madras, not complete in itself but dependent on the university. Therefore, the chance of its development will be seriously retarded, more especially if it is dependent on the other university for funds. So, in that way, it would have an appearance of power and not the reality of power.”

“The fourth point which deserves consideration is this. We have heard in this House a great deal about the report of the Calcutta University Commission and many of their recommendations are highly worthy of consideration and even of being acted on. But what I desire to draw your attention to is the fact that the report was signed on the 18th March 1919, almost four years ago, and not one step has been taken towards the realization of its plans which are regarded as so very good.”

“On these grounds, I oppose the motion.”

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—“Sir, the argument of my friend, Mr. Meston, is the identical argument for not undertaking any university reform at all in Madras. The Calcutta University has not moved in the direction of adopting the machinery suggested in the Sadler Commission's report and yet we in Madras have thought it fit to introduce a machinery specially devised to meet the needs of Calcutta. That is exactly the point. We have already said, and we continue to say, that if the reform of the university administration proceeded on entirely different lines by creating at once at least one university and thereby decentralising some portion of the work of the present university, this complexity of administration would not have been repeated in the Bill. As it is, the hon. Member in charge of the Bill and the Rev. W. Meston are parties to a Bill which reproduces practically two senates, one Advisory Senate representing the mufassal colleges and the other for the Madras colleges. To that extent, the duplication of machinery is absolutely unjustified. But if it is to be there, I submit, it should have some real functions to perform. My hon. friend, the Rev. W. Meston, thinks that it will reproduce another university outside the present university or inside it. I do not wish to go further into this subject except to state this. Let us not set up in this Bill authorities whose usefulness is not apparent. Make them function properly by giving them something to do. Merely for the sake of saying that you are protecting the interests of the mufassal colleges setting up a Council of Affiliated Colleges purely to advise the Senate or the Syndicate without any funds to administer and without any executive, is certainly not at all the creation of any real authority with reference to the mufassal colleges. These are the reasons which induced me to bring forward this proposal, and I have nothing more to add, and I leave it in the hands of the House.”

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Clause 27—cont.

The amendment was put and negatived.

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Sir, I beg to move that—

178. *In item (b) after the word 'appoint' insert the words 'an executive committee and '."*

Mr. M. RATNASWAMI :—" On a point of order, may I ask, Sir, if the hon. Member is in order in moving an amendment the principle of which has been negatived by the previous vote of the House, that is, the one on Mr Ramachandra Rao's amendment? "

The hon. the PRESIDENT :—" If the hon. Member thinks that this amendment is out of order because the matter has been disposed of substantially in a previous amendment, he will have to show me how exactly this amendment has been negatived previously."

Mr. M. RATNASWAMI :—" The previous amendment had to do with the establishment of an executive council for the Affiliated Colleges, because it proposed that the Council of Affiliated Colleges should have executive duties that is the making of rules, prescribing the conditions of affiliation and the courses of study, etc., all of which functions are executive. The present amendment wants an executive committee."

The hon. the PRESIDENT :—" I fear the hon. Member is somewhat hazy about the matter. It is true that in the course of the debate on the previous amendment, the Rev. W. Meston said that it involved the creation of a second executive body ; but that cannot make this amendment out of order. The only thing which can put it out of order would be the vetoing by the House on a previous amendment recommending an executive body. Then, the hon. Member would be right in his point of order."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Sir, my amendment does not raise any question other than this, namely, the functions of the Council of Affiliated Colleges are so many and so varied that you want some body to examine questions and bring matters before the Council. Otherwise it will be impossible for the Council to do any work at all : we shall have a Council without any work being done. That is why I propose an executive body. It is absolutely essential that we should have a committee to look into all matters that may come before the Council, and prepare matters for this Council to decide upon. It is feared that the Council cannot do any work and that it is absolutely necessary that something should be done to see that the interests of the mufassal colleges do not suffer, and that more attention is paid to their interests and development. For this purpose, I want an executive committee to look after these matters—a committee which can, as occasion arises, work up the proposals and place them before the Council for decision. I hope the hon. the Minister for Education will not object to this amendment. I do not know whether I am going to have the same sort of consideration shown to me as was shown to Mr. Muhammad Usman in the case of some resolutions brought forward by him the other day, or to Mr. Ramachandra Rao in respect of some other motions."

Mr. R. APPASWAMI NAYUDU seconded the motion.

The hon. Rao Bahadur A. P. PATRO :—" Sir, there is already provision in the Bill for special and standing committees and the work, which my hon.

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Clause 27—cont.

friend desires to be pushed through for the Council of Affiliated Colleges can be got through by these two committees. But if he thinks that an executive committee is also required to further safeguard the interests of the mufassal colleges, I shall not seriously object to have an executive committee also put in."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Then, I congratulate my hon. friend Mr. Ramalinga Chettiyar."

The amendment was put and carried.

11-30 a.m. Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Sir, I move—

179. *For item (f) substitute the following:—*

'(f) to arrange in consultation with the colleges concerned for co-operation and reciprocity among affiliated colleges and for the concentration and co-ordination of resources for higher teaching and research and for the promotion of university life in suitable localities outside the limits of the university so as to prepare for the institution of new universities.'

" It is admitted that we are to develop the mufassal centres so as to bring into existence new universities in the near future and that the diarchical arrangements proposed in the present Bill may not continue long. As the provision in the revised Bill only says that the Council of Affiliated Colleges may make proposals to the Syndicate for co-ordination and for other things like that, I do not for two reasons, think that it is sufficient. First, the provision that is made does not go far enough. We want in addition to make proposals for co-ordination and for some sort of arrangements for reciprocity and concentration to be made in some places in the mufassal. For instance, on the first day we accepted the definition of 'University centre'. If that 'University centre' is to be developed at all, we want reciprocity among the institutions in the university centre and also concentration of the facilities that may be available there, so that in course of time you may develop that university centre into a real university. That sort of arrangement for reciprocity is not provided for; and that is one objection.

" The second objection is because the proposals are asked to be made to the Syndicate. We want that if the mufassal colleges are to be safeguarded this body of the Council of Affiliated Colleges, which I presume is to be brought into existence to safeguard the interests of mufassal colleges, should be in a position at least to develop these things. It may not have the power to decide which shall be a university centre or to form a university at once; it may not have very wide powers to do any other thing; but it must at least have this power of arranging for reciprocity, co-ordination and things like that for the mufassal areas. If this is even not done, there may be very long delay in developing the mufassal colleges. Supposing, for instance, the proposals are sent to the Syndicate; the Syndicate may say, in order to safeguard the interests of the regular university in Madras, that the mufassal colleges may wait. It may be that it may not find the time to go into these proposals. The result may be that the interests of the mufassal colleges may be either defeated or delayed. This is a matter in which the mufassal colleges can take action themselves and it is not a matter in which

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they want the help or advice or anything of the kind of the executive here, viz., the Syndicate. This is only a matter of arranging for co-operation and reciprocity which can very well be done by the mufassal colleges themselves.

"I have also added the further provision for the Council of Affiliated Colleges to arrange it in consultation with the colleges concerned. If the Council of Affiliated Colleges is agreed with the colleges on certain things being done, I do not see why the intervention of a second body should be brought in. The Council of Affiliated Colleges can very well be given this power, and on these two grounds I propose the amendment standing in my name."

S. R. Y. ANKINEDU PRASAD Bahadur :—"I beg to second it."

The hon. Rao Bahadur A. P. PATRO :—"Sir, in the Select Committee this question of the power of arranging for co-operation among the colleges and concentration in certain localities was fully discussed and the form of providing for such a power was adopted by the Select Committee in this provision (f), viz.:

In consultation with the colleges concerned to prepare and lay before the Syndicate plans for the concentration and co-ordination of resources for higher teaching so as to prepare for the institution of new universities.

"No doubt, even before the Select Committee my hon. friend proposed his amendment, namely—

to arrange in consultation with the colleges concerned for co-operation and reciprocity among affiliated colleges and for the concentration and co-ordination of resources for higher teaching so as to prepare for the institution of new universities.

"By this amendment, the hon. mover wants to take away the intermediate stage, namely, that if plans are prepared by the Council of Affiliated Colleges they should not be laid before the Syndicate. On the other hand, he says that the power should rest with the Council of Affiliated Colleges so that they may be in a position to arrange in consultation with the colleges concerned for reciprocity and co-ordination of resources for higher teaching so as to prepare for the institution of new universities. In other words, he says that the Council of Affiliated Colleges should have the power of consulting the various individual colleges and arranging among themselves for concentration and as to which shall be a locality as it were for future university centres."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"That is not what I mean, Sir. As a matter of fact, in a previous clause that power is reserved to the Government on the recommendation of the Senate."

The hon. Rao Bahadur A. P. PATRO :—"Therefore, if that is not the object of his amendment, viz., that there should be power for the Council of Affiliated Colleges to select as it were university centres, I am afraid the object which he has in view is not at all achieved by this amendment, and that it is unnecessary. The development of the mufassal colleges and the arrangements among them will all be only to prepare for the institution of new universities. The institution of a new university is dependent also upon this fact, namely, that in the selection of university centres, according

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Clause 27—cont.

to the definition of 'University centre,' any locality or local area selected should be recommended to the Government. With these conditions and limitations, I do not think the amendment is of any value in helping the mufassal colleges practically."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" I am not at all convinced by the arguments of the hon. the Minister. The fact is this : supposing, Sir, we take a centre like Trichinopoly where there are already three colleges. Even before Government accepts that centre as a 'University centre,' some arrangements can be made for reciprocity and co-operation among these three institutions. If the three colleges there are agreed, I do not see what objection there can exist for the Council of Affiliated Colleges agreeing with them and bringing about that co-operation and reciprocity.

"Secondly, supposing the Government recognize a particular place as a 'University centre,' there also without the intervention of the Syndicate or the Senate arrangements may be made by the Council of Affiliated Colleges so as to develop that centre to become a new university as early as possible. So in either case, namely, before a locality is accepted as a centre and after it has been accepted as such, the Council of Affiliated Colleges can have power to make the arrangements, and I do not see any difficulty in their doing it. As I said, it is also possible to make arrangements between institutions in different places, as, for instance, in Vizagapatam and Rajahmundry for the people in the North. Though the recognition of university centres may even take time, the advantages of reciprocity and co-operation are not limited to places which are recognized as 'University centres.' So I beg to press this motion."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Sir, the whole object of this amendment is to relieve the Council of Affiliated Colleges from the duty of submitting their plans to the Syndicate. If a Council consisting of a hundred members, professors of colleges and all the leading mufassal educationists, cannot be trusted to prepare a scheme for co-operation and reciprocity but must have the advice and approval of the Syndicate also it really shows the absolutely illusory character of this Council of Affiliated Colleges. It is quite evident that this Council of Affiliated Colleges, if it is to be of any use, must have at least the power to frame a scheme for co-operation and reciprocity. Now, according to the provision to which attention was drawn by the hon. the Minister, these schemes have again to come before the Syndicate. It seems to me that it makes the procedure circumlocutory, the Council of Affiliated Colleges having to send everything that they have to do either to the Academic Council or to the Syndicate. The attempt of my hon. friend is to relieve the Syndicate at least to the extent of carrying out the plans for reciprocity and co-ordination in the matter of studies. This is a simple matter, and I must express my sympathy to my hon. friend in this matter if he is not as successful with the Minister now as in his previous amendment."

The hon. Rao Bahadur A. P. PATRO :—" I have already pointed out that this amendment is quite unnecessary in view of the powers given to the Council of Affiliated Colleges in this Bill. It is also accepted that the powers of the Affiliated Colleges are advisory, and no useful purpose will be served by having the wording of the amendment in place of the wording already in

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Clause 27—cont.

the Bill. But if my hon. friend the mover thinks that it will be an improvement and if my hon. friend, Mr. Ramachandra Rao, thinks that it will go far to meet his wishes in the way of the work of the Council of Affiliated Colleges, I shall not at all object to such an amendment."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" I never said that any of those things would go far to meet my wishes, but I merely pointed out that this was a simple matter."

11-45 a.m. Rao Bahadur T. A. Ramalinga Chettiyar demanded a poll and it was taken with the following result—

Ayes.

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| 1. Rao Bahadur T. A. Ramalinga Chettiyar. | 16. Rao Bahadur C. V. S. Narasimha Raju. |
| 2. Mr. K. Adinarayana Reddi. | 17. Mr. C. V. Venkataramana Ayyangar. |
| 3. S. R. Y. Ankineedu Prasad Bahadur. | 18. Diwan Bahadur R. Venkataratnam |
| 4. Mr. M. Appalanarasayya Nayudu. | Nayudu. |
| 5. „ R. Appaswami Nayudu. | 19. Mr. A. T. Muttomanikkachari. |
| 6. Rao Bahadur P. C. Ethirajulu Nayudu. | 20. Rai Bahadur T. M. Narasimbachari. |
| 7. Diwan Bahadur Sir P. Tyagaraya Chettiyar. | 21. Rao Sahib U. Rama Rao. |
| 8. Rao Bahadur T. Balaji Rao Nayudu. | 22. Sriman Sasibhushan Rath Mahasayo. |
| 9. Mr. C. Ramalinga Reddi. | 23. Mr. M. Suryanarayana. |
| 10. Rao Bahadur C. Tanikachala Chettiyar. | 24. „ S. Arpudawami Udayar. |
| 11. Mr. V. P. Pakkiriswami Pillai. | 25. Rai Sahib E. C. M. Mascarenhas. |
| 12. Rao Bahadur A. Ramayya Punja. | 26. Mr. K. Prabhakaran Tampam. |
| 13. Diwan Bahadur M. Ramachandra Rao Pantulu. | 27. „ A. D. M. Bavotti Sahib. |
| 14. „ L. A. Govindaraghava Ayyar. | 28. Khan Sahib A. P. I. Saiyid Ibrahim Ravuttar. |
| 15. Rao Bahadur A. S. Krishna Rao Pantulu. | 29. Mustapha Ravuttar Ahmad Miran Sahib. |
| | 30. Saiyid Diwan Abdul Razzaq Sahib. |

Noes.

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| 1. The hon. Sir Charles Todhunter. | 9. Mr. S. Somasundaram Pillai. |
| 2. „ Khan Bahadur Sir Muhammad Habib-ul-lah Sahib Bahadur. | 10. The Rev. W. Meston. |
| 3. „ the Raja of Panagal. | 11. Mr. A. T. Palmer. |
| 4. „ Rai Bahadur K. Venkatreddi Nayudu. | 12. „ M. Ratnaswami. |
| 5. „ Mr. A. R. Knapp. | 13. „ C. R. T. Congreve. |
| 6. Mr. C. P. Ramaswami Ayyar. | 14. Khan Bahadur Muhammad Usman Sahib Bahadur. |
| 7. „ E. S. Lloyd. | 15. Khan Bahadur Muhammad Sedullah Badsha Sahib Bahadur. |
| 8. „ E. F. Thomas. | |

The amendment was declared carried, 30 having voted *for* and 15 *against*.

The following amendment was not moved :—

Rao Bahadur A. S. KRISHNA RAO PANTULU :—

180. *In item (f) for the words 'so as to prepare' substitute the word 'and'.*

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" I beg to move—

181. *In item (g) for the words 'to advise it regarding' substitute the words 'as to'.*

"Item (g) of the clause runs as follows :

To make proposals to the Local Government through the Syndicate as to the financial provision that should be made for the Affiliated Colleges and to advise it regarding the distribution of grants to such colleges ;

If my amendment is accepted, item (g) will read thus :

'To make proposals to the Local Government through the Syndicate as to the financial provision that should be made for the Affiliated Colleges and as to the distribution of grants to such colleges'.

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Clause 27—cont.

“The object of my amendment is to make the powers of the Council of Affiliated Colleges somewhat more definite regarding the distribution of grants to the colleges in the mufassal. If we merely leave the item as it is in the present clause, it will be indefinite and it will substantially affect the position of Affiliated Colleges. I trust the hon. the Minister will not find any difficulty in accepting this amendment. It does not militate against the principle of the Bill but will make the powers of the Council more definite by virtue of this clause.”

Rao Bahadur C. V. S. NARASIMHA RAJU :—“ I second it. ”

The hon. Rao Bahadur A. P. PATRO :—“ The hon. mover of this amendment said that it was not going to militate against the principle of the advisory powers of the Council of Affiliated Colleges but that it will make the clause more readable. I have no objection to accept the wording. ”

The amendment was put to vote and declared carried.

The following amendments were not moved :—

Rao Bahadur A. S. KRISHNA RAO PANTULU :—

182. *In item (i) after ‘ clauses (c), (e),’ insert ‘ (f) ’.*

Khan Sahib A. P. I. SAIYID IBRAHIM RAVUTTA :—

183. *Add the following as item (j) :—*

‘ (j) The Councils shall have their respective funds to which shall be credited (1) bequests, donations and transfers of any movable or immovable properties, (2) a part of the savings of the University from the fee income in proportion to the original contributions by their candidates, (3) the contribution made from the apportionment in the annual budget of the Local Government based on suggestions or recommendations of a committee representative of the Syndicate, the Academical Council, the two Councils of Affiliated Colleges, and the Local Government.’

Mr. P. SIVA RAO :—

183-A. *Add the following as item (j) :—*

‘ (j) to prescribe separate courses of study and to conduct separate examinations ’.

New sub-clause after sub-clause (1).

Mr. S. ARPUDASWAMI UDAYAR :—“ Mr. President, I beg to move the amendment that stands against my name, viz., (i) the insertion of the following as sub-clause (2) :—

‘ (2) (a) The Council shall have a fund to which shall be credited—

(i) an equitable proportion of receipts from examination fees and of any compensation paid by the Local Government for loss of income from examination fees ;

[Mr. S. Arpudaswami Udayar] [5th February 1923]

Clause 27—cont.

- (ii) endowments by private bodies or persons or contributions from the Local Government for the institution of professorships in particular branches of learning, and generally for the promotion of higher research, in the mufassal;
- (iii) bequests, endowments or local contributions for the benefit of higher education in the mufassal.
- (b) Such fund shall be expended, in the prescribed manner, in the interests of the mufassal colleges, and shall be kept separate from the general funds of the university.
- (c) The Council shall submit, each year, to the Syndicate, for their approval, estimates of receipts and expenditure.
- (ii) *Re-number the existing sub-clause (2) as sub-clause (3).*

“Sir, hon. Members of this Council will see that the wording of this amendment is very nearly the same as the wording to be found in the Sadler Commission's report, with a few changes here and there, and I would ask hon. Members to remember that there is no attempt here to set up a body which will come into conflict with other authorities or bodies of the university. It is necessary to bring into being an organization charged with the duties and responsibilities of some kind of philanthropic society or a charitable association for the purpose of collecting money. Power is given to the Academic Council to make proposals for the financial provision that should be made for the affiliated colleges and to advise it regarding the distribution of grants to such colleges. Now, over and above what teaching grants are paid to these mufassal colleges by the Local Government, and over and above any special financial provision made by the Government, it is very necessary that there should be a body recognized by statute and charged with the responsibility of collecting funds for the purpose of higher university teaching or higher education in the mufassal and also charged with the responsibility of submitting accounts to the Senate. Only in that case people in the mufassal will be ready to contribute and contribute with confidence. The members of this Council travelling throughout the length and breadth of the mufassal will appeal to popular enthusiasm by coming in contact with the different local magnates, and the latter, yielding to their persuasion, will be ready to loosen their purse strings. Again, when people from different localities see that some of the leading members of their district are on this Council and are earnestly working to collect funds for the purpose of spreading higher education, they will certainly feel confident of the right use to which all these funds will be put, will show themselves liberal and generous and come forward to help the cause of higher education in the mufassal. If, on the other hand, they are left alone to make what contributions they can spare for the purpose of encouraging higher university education in the mufassal, it is very doubtful whether popular enthusiasm will be roused and whether people will be found coming forward to contribute large sums or to leave bequests or endowments for the purpose.

“Again, Sir, in the present financial stringency it is very doubtful whether the local Government will find money and will have funds for the purpose of encouraging higher university teaching in the mufassal. There will be a tendency to absorb as much of the money as is available for the

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Clause 27—cont.

purpose of improving and developing the local university here in Madras. I have no objection to the utilization of an equitable proportion of available resources for improving the local university; but, at the same time, it is only fair and reasonable that they should bring into existence a body or recognize the constitution of a body which will create confidence in the people of the locality and that they should enable it to collect funds for the purpose of improving higher education in the mufassal.

“As regards (ii) and (iii) I doubt whether any hon. Member will take serious objection to the provisions made there.

“As regards (i) some may object that the examination fees should not form a source of the funds to be managed by the Council of Affiliated Colleges. Sir, two-thirds of the candidates appearing for the Intermediate examination and one-half of the students appearing for the B.A. examination are, I am told, from the mufassal. I do not mean to say thereby, that one-half of the examination fees should go to this fund. I have merely stated ‘an equitable proportion.’ It may be a small amount. Even though it is a small amount we shall at least have the satisfaction of seeing the nucleus of a fund which, later on, may grow and may be helpful.

“Sub-clause (2) (c) runs thus:—

‘The Council shall submit each year, to the Syndicate, for their approval, estimates of receipts and expenditure.’

“This wording is copied from the Sadler Commission’s report. By this sub-clause, it is not intended to bring into existence a body working independently of the Senate or the Syndicate. As I said already it is intended only to create a body which, by moving about, will appeal to popular enthusiasm and make it possible to collect funds for the promotion of higher university education in the mufassal. For these reasons, I request hon. Members to kindly vote for this amendment.”

Mr. M. SURYANARAYANA:—“Sir, I beg to second this amendment and while seconding it I just want to make a few observations.
12 noon. My hon. friends Dr. Macphail and Mr. Ramalinga Reddi and others who supported this Bill said that the main object of the Bill was to establish a teaching and residential university in the metropolis. Hon. Members of this House who belong to the legal profession are aware of the fact that the word ‘may’ has oftentimes been construed as ‘shall.’ Following that precedent, I would observe that in course of time when this Bill is put into operation, the words ‘mainly for the benefit of the metropolitan colleges in the city’ would be interpreted to mean ‘solely for the benefit of the metropolitan colleges in the city’ with the result that neither the University nor the Government will be able to spare for the benefit of the mufassal colleges that amount of money which might be deemed absolutely necessary for the development of higher teaching. Therefore it seems to me that there should be a fund solely for the benefit of the mufassal colleges. With these few words, I beg to give my hearty support to the amendment.”

The hon. Rao Bahadur A. P. PATRO:—“Sir, there is another amendment (amendment No. 246) on the agenda tabled by my hon. friend, Mr. C. V. Venkataramana Ayyangar, which has a similar object in view. If the

[Mr. A. P. Patro]

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Clause 27—cont.

hon. Member Mr. Arpudaswami Udayar would withdraw the amendment just now moved by him, I would consider how I could help him while the other amendment is moved by Mr. Venkataramana Ayyangar."

The amendment was by leave withdrawn.

The following amendments were not moved and were therefore deemed to have been withdrawn :—

Khan Sahib A. P. I. SAIYID IBRAHIM RAVUTTA :—

185. *For the words ' the Council ' substitute the words ' the Councils. '*

Mr. C. V. VENKATARAMANA AYYANGAR :—

186. *Add the following as sub-clause (3) :—*

' (3) The Council of Affiliated Colleges shall have the power of appointing an executive committee from among its members and delegate to it any of its own powers.'

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Sir, I beg to move—

187. *Add the following as sub-clause (3) :—*

' Twenty members of the Council shall form the quorum for the meeting of the Council of Affiliated Colleges.'

Sir, the first body that is coming into existence under the Bill is the Council of Affiliated Colleges. It seems to me advisable that the quorum for that body should be laid down either in the first Statutes or in the Bill itself. As it is the first body to come into existence, it is absolutely necessary to lay down the quorum now."

Rao Bahadur A. S. KRISHNA RAO PANTULU seconded the amendment.

Mr. C. P. RAMASWAMI AYYAR (Advocate-General) :—" Sir, the quorum might be laid down in the first Statutes."

The amendment was by leave withdrawn.

Clause 27 as amended was put, passed and added to the Bill.

New clause after clause 27.

The following amendment was not moved and was therefore deemed to have been withdrawn :—

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—

188. (i) *Insert the following as clause 28 :—*

' 28 (a) The Council shall have a fund to which shall be credited :—

(1) the income affiliated from fees, endowments and grants if any relating to the affiliated colleges ;

(2) contributions from the Local Government under the provisions of section 40 of the Act in respect of institutions transferred to the Council ;

(3) contributions from the Local Government for instituting professorships, readerships, lectureships and any other teaching posts and generally for the promotion of higher research and advancement and dissemination of knowledge in particular branches of learning in the affiliated colleges.

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New clause after clause 27—cont.

- (b) The Local Government shall also make annual contributions to meet the recurring expenditure of the establishments maintained by the Council and the travelling charges of the members of the Council.
- (c) Such fund shall be administered by the Council in the manner prescribed and shall be kept separate from the general funds of the University. The Council shall lay before the Syndicate for its approval annual estimates of receipts and expenditure.

(ii) *Re-number the subsequent clauses.*

Diwan Bahadur R. VENKATARAMAN NAYUDU :—“ Sir, I beg to move—

189. (i) *Insert the following as clause 28 :—*

‘ 28. The constitution of such other authorities as may be declared by the Statutes to be authorities of the University shall be provided for in the manner prescribed.’

(ii) *Re-number the subsequent clauses.*

“ Sir, this amendment is only consequential on the new clause 26 which was accepted by the Council. Hon. Members will see that the clause 26 as it originally stood in the Bill was this :

The constitution of the Council of Affiliated Colleges and of such other authorities as may be declared by the Statutes to be authorities of the University shall be provided for in the manner prescribed.

But this clause has been substituted by another fresh clause which covers the case of only the affiliated colleges. But there are other authorities declared by the University for which provision has to be made. It is to achieve that object that I propose this amendment.”

Rao Bahadur C. V. S. NARASIMHA RAJU :—“ I second the amendment.”

The hon. Rao Bahadur A. P. PATRO :—“ I accept the amendment.”

The amendment was put and carried.

The new clause No. 28 was put, passed and added to the Bill.

The following amendment was not moved :—

Mr. M. SURYANARAYANA :—

189-A. (i) *Insert the following as clause 28 :—*

‘ 28. (a) Each of the Councils of Affiliated Colleges shall have a fund to which shall be credited

(1) the income of the examination or other fees, endowments and grants, if any ;

(2) contributions from Local Government under the provisions of section 44 of the Act, in respect of institutions transferred to the Council ;

(3) contributions from Local Government for instituting professorships, readerships, lectureships and any other teaching posts and generally for the promotion of higher research and advancement and dissemination of knowledge in particular branches of learning.

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New clause after clause 27—cont.

- (b) The Local Government shall also contribute annually to the fund a sum sufficient to meet the recurring expenditure of such office establishment by the Councils as may be prescribed and the travelling allowance of the members of the Council.
- (c) Such fund shall be administered by the Councils in the manner prescribed and shall be kept separate from the general funds of the University.

The Council shall lay before the Syndicate for its approval annual estimate of receipts and disbursements.

- (ii) *Re-number the subsequent clauses.*

Clause 28.

Diwan Bahadur R. VENKATARATNAM NAYUDU :—“ Sir, I beg to move the following amendment :—

- 190. (i) *Insert the following as item (b) :—*

‘ the conditions of recommendation by the Senate of local areas to be recognized by Government as university centres.’

- (ii) *Re-letter the subsequent items.*

“ I think, Sir, that that is one of the subjects on which Statutes will have to be made. I therefore commend this amendment for the acceptance of the House.”

Rao Bahadur C. V. S. NARASIMHA RAJU seconded the amendment.

The hon. Rao Bahadur A. P. PATRO :—“ Sir, this amendment is only consequential on the one that I accepted just now regarding university centres. I have therefore no objection to accept this amendment.”

The amendment was put and carried.

The following amendments were not moved and were therefore deemed to have been withdrawn :—

Rai Bahadur T. M. NARASIMHACHARLU :—

- 191. *After the word ‘ visitor ’ insert the word ‘ and ’ and omit the words ‘ and Pro-Chancellor.’*

Mr. R. SRINIVASA AYYANGAR :—

- 192. *Put a semicolon after ‘ Chancellor ’ and omit ‘ and Pro-Chancellor.’*

Clause 28 as amended was put, passed and added to the Bill.

Clause 29.

Diwan Bahadur R. VENKATARATNAM NAYUDU :—“ Sir, I beg to move—

- 193. *For the words ‘ refer the Statute or draft back to the Senate for further consideration ’ substitute the following :—*
 - (i) in the case of a Statute passed by the Senate assent to it or refer it back to the Senate for further consideration, and
 - (ii) in the case of a draft of a Statute rejected by the Senate confirm the rejection or refer the draft back to the Senate for further consideration.’

5th February 1923] [Mr. R. Venkataratnam Nayudu]

Clause 29—cont.

“The main point of my amendment is this, namely, whether or not a Statute to become valid requires as an essential condition the assent of the Chancellor. (*After a pause.*) It has just now been suggested to me by the hon. the Minister that possibly my object would be as well achieved if I should accept the amendment of my hon. friend Mr. R. Srinivasa Ayyangar. That amendment comes immediately after mine. I have no objection to adopt this course and withdraw my amendment.”

Rao Bahadur A. S. KRISHNA RAO PANTULU seconded the motion.

The amendment was by leave withdrawn.

Diwan Bahadur R. VENKATARATNAM NAYUDU then moved with the permission of the Council the following amendment standing in the name of Mr. R. Srinivasa Ayyangar :

194. *Omit the full stop at the end after the words ‘further consideration’ and add the following :—*

‘or in the case of a statute passed by the Senate assent thereto or withhold his assent. A statute passed by the Senate shall have no validity until it has been assented to by the Chancellor’.

Mr. C. V. VENKATARAMANA AYYANGAR seconded the amendment.

The hon. Rao Bahadur A. P. PATRO accepted the amendment.

The amendment was put and carried.

Clause 29 as amended was put, passed and added to the Bill.

The following amendments were not moved and were therefore deemed to have been withdrawn :—

Clause 30.

Item (a).

Mr. C. V. VENKATARAMANA AYYANGAR :—

195. *After the words ‘to the University’ insert the words ‘and to the constituent or affiliated colleges’.*

Item (c).

Mr. C. V. VENKATARAMANA AYYANGAR :—

196. *After the words ‘of the University’ insert the words ‘and of the constituent or affiliated colleges’.*

Item (d).

Mr. C. V. VENKATARAMANA AYYANGAR :—

197. *After the word ‘maintained’ insert the words ‘or recognized’.*

Clause 30 was put, passed and added to the Bill.

Clause 31.

Mr. C. V. VENKATARAMANA AYYANGAR :—“Sir, I beg to move—

198. *In the proviso after the words ‘Academic Council’ insert the words ‘and the Council of Affiliated Colleges’.*

“Sir, in the Select Committee, clause 27 has been amended by giving power to the Council of Affiliated Colleges to recommend to the Syndicate

[Mr. C. V. Venkataramana Ayyangar] [5th February 1923]

Clause 31—cont.

the names of persons suitable for appointment as Examiners and Assistant Examiners. All that we want is that the Syndicate may similarly consult the Council of Affiliated Colleges in issuing ordinances. I do not think that this will in any way add to the difficulties of any body. It will only recognize the position of the Council of Affiliated Colleges to a greater degree than it is sought to be done now. The Council of Affiliated Colleges should be given some powers even as regards the appointment of Examiners instead of their voluntarily taking action and recommending under clause 27. With these observations I beg to commend my amendment for the acceptance of the House."

Rao Bahadur A. S. KRISHNA RAO PANTULU seconded the amendment.

MR. R. G. GRIEVE:—"Sir, it seems to me that the proper body to deal with matters like these is the Academic Council. That was the specific reason why this additional provision was not inserted in the Bill. In the Academic Council there are representatives both of the constituent and the affiliated colleges. It seems to me to be undesirable to accept this amendment when we have already got for that special purpose the Academic Council which is fully representative of all interests."

The amendment was by leave withdrawn.

The following amendment was not moved and was therefore deemed to have been withdrawn:—

Rao Sahib U. RAMA RAO:—

199. *Omit the following words:*

'by a resolution passed by a majority of not less than two-thirds of the members present at such a meeting.'

Clause 31 was put, passed and added to the Bill.

Clause 32.

The following amendments were not moved, and were therefore deemed to have been withdrawn:—

Rao Sahib U. RAMA RAO:—

200. *In paragraph 2 omit the following words:—*

'by a resolution passed by a majority of not less than two-thirds of the members present at such meeting'.

Rao Bahadur C. NATESA MUDALIYAR:—

200-A. *In paragraph 2 omit the words "by a resolution passed by a majority of not less than two-thirds of the members present at such meeting"'*

Clause 32 was put, passed and added to the Bill.

Clause 33.

The following amendment was not moved, and was therefore deemed to have been withdrawn:—

MR. C. V. VENKATARAMANA AYYANGAR:—

201. *After the word 'University' insert the words 'or of the constituent or affiliated colleges'.*

Clause 33 was put, passed and added to the Bill.

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Clause 34.

The following amendment was not moved, and was therefore deemed to have been withdrawn :—

Mr. C. V. VENKATARAMANA AYYANGAR :—

202. *After the word ' maintained ' insert the words ' or recognized '.*

Clause 34 was put, passed and added to the Bill.

Clause 35.

Sub-clause (1).

12-15 p.m.

The following amendments were not moved, and were therefore deemed to have been withdrawn :—

Rai Bahadur T. M. NARASIMHACHARLU :—

203. *For the words ' Intermediate Examination in Arts and Science ' substitute the words ' Matriculation Examination '.*

Mr. B. MUNISWAMI NAYUDU :—

203-A. *After the word ' Syndicate ' insert the words ' or the Senate '.*

Clause 35 was put, passed and added to the Bill.

Clause 36.

The following amendments were not moved, and were therefore deemed to have been withdrawn :—

Rai Bahadur T. M. NARASIMHACHARLU :—

204. *Omit this clause.*

Mr. C. V. VENKATARAMANA AYYANGAR :—

205. *Omit this clause and re-number the remaining clauses.*

Clause 36 was put, passed and added to the Bill.

Clause 37.

Clause 37 was put, passed and added to the Bill.

Clause 38.

Mr. C. V. VENKATARAMANA AYYANGAR :—

206. *After the word ' election ' insert the words ' appointment or nomination '.*

“ Sir, after all, there may be mistakes in the nomination or appointment of men to the various authorities of the university and I do not think there will be any objection in accepting my amendment.”

Mr. C. P. RAMASWAMI AYYAR (Advocate-General) :—“ I do not think it necessary, Sir.”

The amendment was by leave withdrawn.

Clause 38 was put, passed and added to the Bill.

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Clause 39.

The following amendments were not moved, and were therefore deemed to have been withdrawn :—

Rao Sahib U. RAMA RAO :—

207. *In paragraph 1 after the word 'Syndicate' insert the words 'if the proposal is accepted by not less than two-thirds of the Fellows present at a meeting of the Senate'.*

Rai Bahadur T. M. NARASIMHACHARLU :—

208. *In paragraph 1 after the word 'offence' insert the words 'as defined in the Indian Penal Code'.*

Rao Sahib U. RAMA RAO :—

209. *In paragraph 1 omit the following words :—*

'or if he has been guilty of scandalous conduct'.

Rai Bahadur T. M. NARASIMHACHARLU :—

210. *In paragraph 1 omit the words 'or if he has been guilty of scandalous conduct'.*

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"The amendment standing against my name runs as follows :—

211. *In paragraph 1, for the words 'has been guilty' substitute the words 'has, after due enquiry, been found by the Senate to be guilty'.*

"Sir, one of the reasons which have been specifically mentioned for the purpose of removing the name of any person from the register of graduates is 'that if he has been guilty of scandalous conduct'. Now so far as this clause is concerned, while it confers absolute discretion to the Senate, it does not provide the necessary safeguards which must exist before a man can be punished and his name is removed from the register of graduates. That is why I have worded my amendment as 'has after due enquiry been found by the Senate to be guilty'. It is fit that a man should only be punished after due enquiry has been made by the Senate and his conduct has been found scandalous. I do not suggest that the name of a man may be allowed to remain in the register if his conduct has been alleged to be scandalous but not proved to be as such. But what I would like to impress upon the House is that a man before he has been found guilty by the Senate should be given an opportunity of saying that, although it was alleged that his conduct was scandalous, it was not proved that he was guilty."

Rai Bahadur T. M. NARASIMHACHARLU :—"I second it."

MR. C. P. RAMASWAMI AYYAR (Advocate-General) :—"I do not quite follow the hon. mover of this amendment. Does he mean that an enquiry should be inaugurated by the Senate in every case where a person has been found guilty of scandalous conduct, or has the Senate to accept certain conclusions arrived at by the bodies in which powers to adjudicate such cases are vested? The Senate cannot be a court of law, but if, for reasons of its own, it finds certain persons guilty of scandalous conduct, it is clear that no domestic tribunal, like the Senate, can try and adjudicate upon such a case and determine that that person has been guilty of scandalous conduct, unless it inaugurates or

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Clause 39—cont.

initiates an enquiry. But the amendment suggests that the Senate shall be competent to adjudicate even in cases where the co-ordinate bodies have instituted enquiries and arrived at conclusions. Therefore, having regard to that aspect of the matter, I do not think it necessary to accept this amendment."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" It only surprises me that the hon. the Advocate-General has not suggested a better means by which we can achieve the end in view. He has not suggested the method of instituting enquiries by some other means than by the Senate. There may be co-ordinate bodies to enquire into such cases. I do not mean to say that the Senate which is going to pronounce that a man is guilty of scandalous conduct should not have its own facilities for the purpose of inaugurating an enquiry. The reply of the Advocate-General cannot be in opposition to this amendment. The object of my amendment is that so far as the Senate is concerned it should make an enquiry and adjudicate that a man is guilty of scandalous conduct after giving an opportunity to the individual concerned to say what he has got to say. I take it that the hon. the Advocate-General has not suggested anything to the contrary, that the Senate should not entrust the discretion to the co-ordinate body at all."

Mr. C. P. RAMASWAMI AYYAR (Advocate-General) :—" I wholeheartedly accept the general propositions advanced. The question is whether the Senate should determine a person as guilty of scandalous conduct. That whether he is of scandalous conduct or not is to be ascertained after enquiry is a matter on which there are no two opinions. I may only say that the wording of the hon. Member's amendment, namely 'has after due enquiry been found by the Senate to be guilty' involves that the enquiry should be held by the Senate.

"I think the present wording will conform to the ideal accepted on both sides."

The amendment was put to vote and lost.

The following amendments were not moved and were therefore deemed to have been withdrawn :—

Mr. C. V. VENKATARAMANA AYYANGAR :—

212. *In paragraph 1 after the words 'moral delinquency or if he has been' insert the words 'in the opinion of the Senate'.*

Rai Bahadur T. M. NARASIMHACHARLU :—

213. *In paragraph 1 for the word 'reasons' substitute the word 'reason'.*

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" I beg to move—

214. *In paragraph 2 omit the words 'has applied to be adjudicated or'.*

"The omission of these words will no doubt retain the spirit of the provision. The wholesale provision as it stands reads :

Or has applied to be adjudicated or has been adjudicated a bankrupt or insolvent.

[Mr. A. S. Krishna Rao Pantulu] [5th February 1923]

Clause 39—cont.

That he is to be adjudicated as an insolvent or bankrupt is itself a disqualification. I do not think that a penal clause like the one which I want to be omitted finds a place in any other Statute. I therefore think that this portion is unnecessary and should be removed."

Mr. C. P. RAMASWAMI AYYAR (Advocate-General) :—"No doubt, the fact that a person has applied to be adjudicated as insolvent is a matter which will disqualify him and remove his name from the register of graduates. It is a different thing in the case of another man who is supposed to have become insolvent and whom a third party maliciously wants to be declared an insolvent. It is for this purpose that the wording 'has applied to be adjudicated or'."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"I do not press my amendment".

The motion was by leave withdrawn.

The following motion was not made and was therefore deemed to have been withdrawn :—

Rai Bahadur T. M. NARASIMHACHARLU :—

215. *In paragraph 2 for the words 'has applied to be adjudicated or has been adjudicated a bankrupt or insolvent' substitute the words 'becomes an uncertificated bankrupt or undischarged insolvent'.*

Clause 39 was put, passed and added to the Bill.

Clause 40.

The following amendments were not moved and were therefore deemed to have been withdrawn :—

Mr. C. V. VENKATARAMANA AYYANGAR :—

216. *After the word 'elected' insert the word 'appointed'.*

Sriman BISWANATH DAS Mahasayo :—

216-A. *For the word 'Chancellor' substitute 'Syndicate'.*

Clause 40 was put, passed and added to the Bill.

Clause 41.

Clause 41 was put, passed and added to the Bill.

Clause 42.

Sub-clause (2).

The following amendment standing in the name of Mr. Biswanath Das was not moved and was therefore deemed to have been withdrawn :—

216-B. *In sub-clause (2) (ii) omit the proviso.*

Clause 42 was put, passed and added to the Bill.

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Clause 43.

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR :—" I beg to move in the first instance the second alternative of the amendment standing in my name as follows :—

'217. For item (a) in paragraph 2 substitute ' (a) a sum of three lakhs of rupees rising by ten per cent, once in three years, until the annual contribution amounts to a sum of not less than ten lakhs of rupees ' ; "

Mr. A. RAMASWAMI MUDALIYAR :—" I rise to a point of order. Mr. President, you will find that amendment which he proposes is as follows :—

If the above amendment be not carried, for item (a) in the same paragraph substitute ' (a) a sum of three lakhs of rupees rising by ten per cent, once in three years, until the annual contribution amounts to a sum of not less than ten lakhs of rupees '.

Sir, that means the appropriation of revenues of the Provincial Government, and I take it that the hon. Member who comes forward to move such a provision is not a Member of the Government. Under the Government of India Act, section 72 (D), we find :

No proposal for the appropriation of any such revenues or other moneys for any purpose shall be made except on the recommendation of the Governor communicated to the Council.

I therefore object to this amendment under that section. Section 80 (C) makes the position perfectly clear.

It shall not be lawful for any member of the local Legislative Council to introduce, without the previous sanction of the Governor, Lieutenant-Governor or Chief Commissioner, any measure affecting the public revenues of a province or imposing any charge on those revenues.

I take it that in effect the mover of this amendment is performing the duties of a Government Member. I do not think the hon. Member has got the sanction of the Governor."

The hon. the PRESIDENT :—" In clause 43, both (a) and (b), we have got charges to be borne by the Government."

Mr. A. RAMASWAMI MUDALIYAR :—" They have been made at the instance of the Government. My position is that in the Select Committee clause 43 could not be amended in the manner the hon. Member wishes it to be done now, and it cannot be brought in the open Council either. When I had been to Bombay, at the time when the Elementary Education Bill was under discussion in the Bombay Legislative Council, the Government, I understand, agreed that two-thirds of the total cost should be contributed to the local boards for compulsory education. In the Select Committee it was passed that the Government should contribute three-fourths of the amount towards compulsory education. The matter came up again in open Council and the hon. the Finance Member opposed this amendment of the Select Committee on the ground that it was a proposal for the appropriation of revenues which a non-official member was not justified in making ; and, Sir, the President of the Bombay Legislative Council upheld the objection. I am not citing it as a precedent for us, but I am only stating it as an instance in point. This amendment of my hon. friend, Mr. Govindaraghava Ayyar, is really an appropriation of revenue. If any proposal for the appropriation of the

[Mr. A Ramaswami Mudaliyar] [5th February 1923]

Clause 43—cont.

revenue is to be introduced in a Bill, the sanction of the Governor is required. The Legislative Council is not in a position to adjudicate on that point."

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR :—"Sir, the first point
12-30 p.m. that I want to mention is that neither of the sections to which my hon. friend has referred has any application to the point of order that he has raised. As he himself recognizes, section 72 (D) refers to the budget, the estimates of expenditure and income that are being prepared and that come up for sanction before this House from time to time. The other one is section 80 (C). There, the House will observe and you will also observe, Sir, that what is stated is :

It shall not be lawful for any member of any local Legislative Council to introduce, without the previous sanction of the Governor, Lieutenant-Governor or Chief Commissioner, any measure affecting the public revenues of a province"

The hon. the PRESIDENT :—"I think Mr. Ramaswami Mudaliyar relied upon section 72 (D)."

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR :—"With reference to that my observations were—as you yourself will notice, and as the hon. Member has conceded, if I may say so—that it applies to the estimated annual expenditure and revenue of a province which shall be laid in the form of a statement before the Council in each year. I refer to clause (2) of section 72 (D), and that is with reference to the budget. Therefore, the more relevant section, if at all, will be section 80 (C). Now, section 80 (C) refers to two things. The first is that there should be a measure which a member of the Council introduces; and then it says it must be a measure affecting the public revenues of a province."

The hon. the PRESIDENT :—

Or imposing any charge on those revenues.

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR :—"Yes, Sir,

Or imposing any charge on those revenues.

Now, what I would submit is this, that it is only by way of preventing a measure from being introduced by a member; and being a Government of India Act which was passed by the Houses of Parliament, we ought to be careful that we attach due meaning to every one of the words that we find in the section. This Act, as has been claimed for it, has been introduced and passed after considerable deliberation and considerable skill in drafting capacity has been brought to bear upon it—very eminent men have had a share in its drafting. And what they have in so many words expressed their disapproval of is that no member, except with the sanction of the Governor, or the Lieutenant-Governor, or the Chief Commissioner, as the case may be, shall have permission to introduce a measure which affects the public revenues, or impose any charge upon those revenues. My submission is that in the present case, there is no measure that I am introducing. A measure has already been introduced, and all that I ask is that there may be some amendment made to that measure, which is quite a different thing, to use the language of the Code, from introducing the measure itself. It is only the measures, Sir, that I am prevented from introducing. In these circumstances, I submit that the point of order does not arise. My hon. friend referred to

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Clause 43—cont.

some precedent said to have been created, or some kind of ruling that has been made somewhere else. I am not aware, Sir, of the full circumstances of that case. I am not, therefore, in a position to reply to him adequately. But, as my hon. and learned friend has himself recognized, that does not in any way, Sir, tie your hands as to the ruling that you have to pass on this matter."

The hon. the PRESIDENT:—"I recognize that the ruling that I give here will have to be on my own responsibility. But all the same it would be an advantage to ascertain how the same point has been dealt with in other Councils. And if this question had gone up before the last Conference of Presidents of Legislative Councils, probably the hon. the Deputy President might tell us how exactly it was disposed of."

Diwan Bahadur P. KESAVA PILLAI (Deputy President):—"The proceedings, Sir, have been published; but I may state what was said by the President of the Bombay Council with regard to the point raised by my hon. friend. The Deputy President raised the question there that the Select Committee had decided that three-fourths of the expenditure should be contributed by the Government instead of two-thirds. When the matter came up before the Council for discussion, the Minister in charge put the question that the original item should be restored, i.e., two-thirds, and three-fourths should not be accepted because it would be infringing the rights of the Government. The President, Sir Narayan Chandavarkar said it could not be accepted because there was no sanction of the Government. That was the ruling, Sir, and that is the statement that I have to make on the facts elicited at the Conference."

The hon. the PRESIDENT:—"I have little doubt in the matter now. The whole principle of the sections is that no charge can be laid upon the public revenues except at the instance of a responsible Government. In other words, it is not open to a private member to say, either by motion for appropriation or by legislation, 'this shall be a charge upon the public revenues.' Unless we strictly adhere to that principle, it will land us in this awkward position that the responsible Government cannot be held responsible for the finances of the country. For this reason I rule the hon. Member as quite out of order."

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR:—"With your permission, I beg to move, Sir, the first part of my amendment."

The hon. the PRESIDENT:—"That cannot be done now. The hon. Member began by telling us that he has made up his mind to move only the alternative amendment. That amendment has now been ruled out and he cannot go back after that to the previous amendment."

The following amendment standing in the name of Diwan Bahadur L. A. Govindaraghava Ayyar fell through for the reasons given above:—

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR:—

217. *For paragraph 2 beginning with the words 'The Local Government shall contribute' and ending with the words 'in particular branches of learning' substitute the following:—*

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Clause 43—cont.

‘It shall be the duty of the Government to supply the University with any funds which may be needed by the University in addition to its income from fees, endowments and grants, if any, to enable the University to discharge the duties imposed upon it by this Act’;

or

If the above amendment be not carried, for item (a) in the same paragraph substitute ‘(a) a sum of three lakhs of rupees rising by ten per cent, once in three years, until the annual contribution amounts to a sum of not less than ten lakhs of rupees’;

or

If the above amendment be not carried, for items (a) and (b) substitute the following :—

‘a sum of three lakhs of rupees rising by ten per cent, once in three years, until the annual contribution amounts to a sum of not less than ten lakhs of rupees’;

or

If the above amendment be not carried, in item (a) insert the following between the words ‘University’ and ‘and’ :—

‘the said sum being increased once in every three years, until the annual contribution thus made amounts to a sum of not less than five lakhs of rupees’.

Rai Bahadur T. M. NARASIMHACHARLU :—“Sir, I wish to know whether this also falls under the same category as the previous amendment. I say ‘not less than’; it may be more.”

The hon. the PRESIDENT :—“I cannot give a ruling now. If the hon. Member moves it, of course he will get a ruling.”

Rai Bahadur T. M. NARASIMHACHARLU :—“Yes, Sir, I will move it then. I beg to move the following amendment :—

218. In item (a) for the words ‘equal to’ substitute the words ‘not less than’.

My object in moving this amendment is to provide as much funds as possible for the carrying out of the objects of this University. My object also is that the amount shall not be restricted to the sum which is equal to what is being paid, or what has been paid by the Government, but it shall not be less than that, meaning thereby that if circumstances permit, and if the needs of the University require it, the amount may be increased. With this object, I move the amendment, Sir.”

Mr. S. MUTTUMANIKKACHARI seconded the motion.

The hon. Rao Bahadur A. P. PATRO :—“I raise the same objection, Sir, the same point of order that was raised in the case of the last amendment.”

The hon. the PRESIDENT :—“Does the change he proposes necessarily impose an additional liability upon the Government?”

The hon. Rao Bahadur A. P. PATRO :—“Yes, Sir.”

The hon. the PRESIDENT :—“I do not quite understand wherein the additional liability comes in. I ruled out the previous amendment on the

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[The President]

Clause 43—cont,

ground that it was such that it would impose an additional liability on the Government. In the present case the Government cannot give less. There the matter ends. Where is the additional liability?"

The hon. Rai Bahadur K. VENKATAREDDI NAYUDU :—"The larger liability is this, Sir. The wording in the Act limits the amount to a certain figure. Now the limit may be enhanced."

The hon. the PRESIDENT :—"I am dealing now with the question of order and that should be disposed of first. The clause as it now stands says :—

'A sum equal to the amount of contribution by the Local Government in the financial year.'

It does not say 'less than'; it says only 'equal to the amount'. So you are bound to give a sum equal to the amount. The amendment says you must give a sum not less than that amount. That does not necessarily increase the liability. It is within the discretion of the Government not to give more. I think the amendment is in order."

The hon. Rao Bahadur A. P. PATRO :—"There is absolutely no need for any such change in the wording, Sir. The Select Committee has considered the point."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I do not think Sir, that it was particularly considered in the Select Committee whether 'equal to' or 'not less than' would make any difference."

The hon. Rao Bahadur A. P. PATRO :—"The clause as a whole was considered and passed."

Rai Bahadur T. M. NARASIMHACHARLU :—"Sir, my object in moving this is only to strengthen the hands of the hon. the Minister. Whenever he happens to have more money, he may give more. His whole heart is on the University Bill and his whole heart will be in carrying it out successfully; and to carry it out successfully, he must have funds. Suppose at some future time we have funds which we can release for the furtherance of the benefits of this University; I only suggest this amendment so that his hands may not be tied then and he may not have to come to this Council again with a view to amending these two words for the purpose of enabling the Government to give more funds. I hope, Sir, that the hon. the Minister will at least accept this, because this does not involve any present liability on the Government and also because this will enable Government at some future time to give more if it can."

The hon. Sir CHARLES TODHUNTER :—"Sir, as I read the clause, sub-clause (2) (a) lays upon the Government an obligation, and sub-clause (2) (b) gives Government the option of adding a further sum. There is a clear distinction between the obligatory contribution and the voluntary contribution. This is an attempt to make the obligatory contribution also voluntary and it seems to me that it will disturb the symmetry and the sense of the whole clause."

The amendment was then put and lost.

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Clause 43—cont.

The following amendments were not moved and were therefore deemed to have been lost:—

Mr. C. V. VENKATARAMANA AYYANGAR:—

219. *In item (a) for the words 'equal to' substitute the words 'not less than.'*

Rao Sahib U. RAMA RAO:—

220. *In item (a) after the word 'University' insert the words 'or a sum of 3 lakhs at least, whichever is larger.'*

12-45 p.m. Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Sir, I beg to move—

221. *In item (b) omit the words 'on such conditions as the Local Government may impose.'*

My submission is that in making grants to the University I take it that the Government would investigate beforehand the object for which the grant is required and once those objects are ascertained and the Government feels justified in making the grant the funds should be handed over to the University for administration. Assuming it is a recurring grant of a lakh of rupees for a particular purpose, the Minister thinks that these funds should be paid to the University and subsequently finds from such information as he may have that they are not being properly administered he certainly will not pay the recurring grant. There is already an unseemly trouble in Bengal between the Government and the University of Calcutta and I want to suggest this course more especially because under the conditions now existing the Government will be asking for explanation from the University as to how these funds are administered. For that purpose the best course for the Minister would be to make such an investigation as he likes previous to making grants and if he is not satisfied with the objects of the grant he may refuse it. But when once he makes a grant let him continue it. If later on he finds that it is not being properly utilized he can withhold it. This will avoid friction between the Government and the University."

Rao Bahadur A. S. KRISHNA RAO PANTULU seconded the amendment.

Mr. A. RAMASWAMI MUDALIYAR:—"I am afraid that the proposal of my friend would lead to the same unseemly quarrel which he wants to avoid. My hon. friend proposes that the Government may in the first instance make an enquiry as to the necessity for the grant and the purposes for which it may be spent and then give the University that grant leaving it to spend it upon this or that. He also proposes that later on, if the Government find that the grant is not being utilized for the purpose for which it was given, they may withdraw or suspend it the next year. That will certainly be promoting the unseemly quarrels which have been so rampant in the Calcutta University. On the other hand, if the Government are to give the grant year after year after being ear-marked, and if the Government see that it is spent for the very purposes for which the grant is made there will be no occasion for such unseemly quarrels. I am surprised that such a shrewd gentleman as Mr. Ramachandra Rao should not see farther than this and prevent what he and I in common deprecate."

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Clause 43—cont.

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"My friend paid a very unmerited compliment to my shrewdness. I may at once tell him that, apart from my shrewdness, I have seen the way in which University funds are being spent in Great Britain. I may inform my hon. friend that what they do there is to go round the Universities before the grant is made and ascertain the expenses from each University and hand over the funds to them and trust them to do the things which they are expected to do. I understand, Sir, that this committee had been working during the last six years, and had been working very successfully, and prevented this kind of friction between the Universities and the Treasury Bench in Great Britain.

"In proposing it I may say a few words as to the question of policy. After all, you are creating a new University and a new executive. The policy of making grants to the local bodies has been considered by a separate committee. I believe Mr. Lloyd and Mr. Grieve were there. The policy adumbrated in that report is really the policy of trying to give and control the local bodies by audit and inspection. That is entirely a different matter. But if my hon. friend the Minister cannot trust the University and wishes to annex conditions to the grant I am certain the University will have their own way of doing things. Then, assuming the University employs a professor for a particular subject from the United Kingdom, and assuming the Minister attaches conditions as to who should be employed, what will be the position of the University? Well, if the Minister is not able to see that this question is tackled in the proper way in which it ought to be, it is a matter for himself. So far as I am concerned, I think that would be the best way of dealing with the University grants."

The hon. Sir CHARLES TODHUNTER :—"Sir, I am delighted to hear my hon. friend opposite announcing the proposition that you must trust the executive." (Laughter.)

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I think my hon. friend has made a serious mistake in thinking that the University is an executive body. It is an educational body."

The hon. Sir CHARLES TODHUNTER :—"The hon. Member said that you must trust the executive of the University. That is to say, wherever you make a grant for a certain purpose, you give them the privilege of using or not using it for the particular purpose. I only ask him whether he is prepared to apply that principle in the case of the ensuing budget debate. (Laughter.) If so, he will greatly simplify my duties."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I may further simplify if I state that I am not going to take that attitude."

The hon. Sir CHARLES TODHUNTER :—"Then, Sir, my hon. friend is not prepared to trust the executive, or he condemns his own men. At the same time, I am glad to observe that he provides for the audit of this University. Now, if you are going to allow your executive to do anything with the money, what on earth is the good of audit? I venture to think that there is no course open but to provide in the Bill to say what you are giving the money for and see that the money is applied for that purpose."

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Clause 43—cont.

Rao Bahadur O. TANIKACHALA CHETTIYAR :—"Sir, in opposing this amendment, I beg to remind the House of something that took place at the time of the budget discussion. I interpellated the Minister for Education as to what a certain professor of the University, who was drawing the salary from the University, was doing, or had done, by way of research. The hon. the Minister promised to get the information from the University and addressed the University authorities. In answer to that a reply was received couched in language smacking of a lawyer informing that the matter was one with which the University was solely concerned. As to the information, viz., what the Professor had done, instead of giving the information, the Government, as well as the questioner, were referred to the University Calendar. When such is the state of affairs it is but right that those who pay for the piper should be at liberty to call for the tune, and therefore, before providing with funds, the Government should be satisfied with the purpose, and the Government should also have facilities to see that the funds are being properly utilized. As for hitches arising, I think we need not go beyond the limits of our own University to the Calcutta University. It is a very necessary safeguard, and I think the House must insist upon its retention."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I think my hon. friend need not have reminded the House of a long-forgotten incident. That is entirely on a different footing."

The motion was put and lost.

The following amendment was not moved :—

Sriman BISWANATH DAS Mahasayo :—

221-A. *In item (b) omit the words 'the salary, if any, of the Vice-Chancellor'.*

Rao Bahadur A. S. Krishna Rao Pantulu was then called upon by the hon. the President to move amendment No. 222.

Mr. A. RAMASWAMI MUDALIYAR :—"I rise to a point of order, Sir. I object to this motion on the same grounds as I objected in the case of Mr. Govindaraghava Ayyar's motion. I object to it on the further ground that the clause now under discussion has no sort of relationship with the proviso now before the House. As regards the first point I need not address the President. As regards the second you will see, Sir, that the proviso relates to something connected with the affiliated colleges. This Bill has nothing to do with the funds of the affiliated colleges. This is a clause which states what amount has to be paid to the University for the purposes of the university. The proviso relates to something entirely different having no sort of connexion with the clause itself."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"I anticipated this objection and I hope I will be able to satisfy the hon. Member. By virtue of the ruling just now given by you, Sir, the contribution which has been provided for in the case of the University has not been, and could not be, increased. I do not attempt to do anything with that ruling. The clause says that the local Government should contribute annually towards the said fund and then goes on to enumerate clauses (a) and (b). These provisions remain undisturbed. My position is that this clause ought not to come in

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Clause 43—cont.

operation until a certain condition is fulfilled, that condition being that the contributions hitherto made to the affiliated colleges ought to remain undisturbed. I do not think that Mr. Ramaswami Mudaliyar is right in saying that there is no connexion at all between the affiliated colleges and the university. There are a number of provisions in the Bill which will show the connexion between the affiliated colleges and the university. I am anxious that the grant of funds to any substantial extent by the local Government to the up-keep of the university should not work to the prejudice of the affiliated colleges. I object to the provision in clause 43 unless it is accompanied by a further qualification that the provision to the affiliated colleges in the matter of grants hitherto received remains undisturbed. So far I only seek to emphasize the grants already made, but which do not come under the purview of the Bill."

The hon. the PRESIDENT:—"I think the hon. Member is out of order."

Consequently the following amendment was not moved:—

Rao Bahadur A. S. KRISHNA RAO PANTULU:—

222. *Add the following as a proviso:—*

'Provided that a sum not being less than the amount of contribution by the local Government in the financial year prior to the coming into force of this Act is contributed by the local Government towards the recurring expenditure of the Affiliated Colleges.'

Clause 43 was put and carried, and added to the Bill.

New clause after clause 43.

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I request your permission to move amendment No. 223 in the absence of Mr. T. A. Ramalinga Chettiyar."

Mr. A. RAMASWAMI MUDALIYAR:—"The House must give the permission."

The question of permission was put to the House and declared against Mr. Krishna Rao Pantulu.

A poll was demanded.

Just before the poll was actually taken, Rao Bahadur T. A. Ramalinga Chettiyar came to his seat and there was laughter.

Mr. C. RAMALINGA REDDI:—"Mr. Ramalinga Chettiyar 1 p.m. may now be asked to move the amendment."

The DEPUTY PRESIDENT (*in the chair*):—"Let us take the poll, as we have decided to do so."

The House divided as follows:—

Ayes.

1. Mr. C. Ramalinga Reddi.
2. " B. Muniswami Nayudu.
3. " M. Narayanaswami Reddi.
4. " P. T. Rajan.
5. Rao Bahadur A. Ramayya Punja.
6. Mr. W. P. A. Saundarapandiya Nadar.

7. Mr. S. Somasundaram Pillai.
8. " P. Subbarayan.
9. Diwan Bahadur M. Rawachandra Rao Pantulu
10. Rao Bahadur A. S. Krishna Rao Pantulu.
11. " C. V. S. Narasimha Raju.

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New clause after clause 43.

Ayes—cont.

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|---|---|
| 12. Mr. C. V. Venkataramana Ayyangar. | 19. Mr. T. Arumainatha Pillai. |
| 13. Diwan Bahadur R. Venkataratnam
Nayudu. | 20. Rai Sahib E. C. M. Mascarenhas. |
| 14. Rai Bahadur T. M. Narasimhacharlu. | 21. The Raja of Ramnad. |
| 15. Sriman Sasibhushan Rath Mahasayo. | 22. The Maharaja of Jeypore. |
| 16. Mr. R. Seturatnam Ayyar. | 23. Abbas Ali Khan Bahadur. |
| 17. „ M. Suryanarayana. | 24. Khan Sahib A. P. I. Saiyid Ibrahim
Ravuttar. |
| 18. „ S. Arpudaswami Udayar. | 25. Mustapha Ravuttar Ahmad Miran Sahib. |

No.

Mr. V. P. Pakkiriswami Pillai.

Twenty-five voting *for* and one *against*.

Rao Bahadur A. S. Krishna Rao Pantulu was permitted to move the amendment.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ Sir, I beg to move :—

223. (i) *Insert the following as clause 44 :—*

‘ The University shall allot and spend every year not less than a third of its annual receipts, including its income from fees, endowments and grants and the contribution by the Local Government, for the benefit of the affiliated colleges.’

(ii) *Re-number the subsequent clauses.*

The hon. Sir CHARLES TODHUNTER :—“ May I rise to a point of order, Sir? Is it in order for one hon. Member to move an amendment standing in the name of another hon. Member when the hon. Member who has given notice of the amendment is in the House? ”

The DEPUTY PRESIDENT (*in the chair*) :—“ I am afraid that if we follow any other procedure, it will be very difficult to proceed. We have waited long, called for a division and taken a poll. The hon. Member, Mr. Ramalinga Chettiar, was absent when he was called and we have decided that Mr. Krishna Rao should move it.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ Sir, clause 43 which has just been passed relates to the constitution of the University fund and it provides that certain contributions should be annually made by the local Government for the upkeep of the University. The discussion we had on several of the amendments moved, though rejected by the House, would furnish ample testimony to the apprehensions in the minds of those who are associated with the affiliated colleges about their future condition. It will be recollected that they wanted that various steps should be taken for safeguarding the position of these colleges and for placing their financial condition on a satisfactory basis. This clause is only calculated to effect that object. It suggests that whatever funds are collected by the University and whatever grants are made by the local Government to the University, the University shall be under the obligation to ‘ allot and spend every year not less than a third of its annual receipts . . . for the benefit of the affiliated colleges’. If this House, which from the outset has shown special care for safeguarding the interests of the affiliated colleges, approves the principle underlying this amendment, there will be no difficulty in accepting it. Even when the Bill was introduced, the hon. the Minister for Education

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New clause after clause 43—cont.

was good enough to tell us that so far as the affiliated colleges in the mufassal were concerned, they would be allowed to remain intact and that their position would remain undisturbed. This clause only seeks to place the obligations of the University on a definite footing so that there need be no cause for alarm in the minds of the affiliated colleges. I, therefore, hope that this amendment will be accepted by this House."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Sir, I beg to second this amendment. I need not again say that the fear in the mufassal has always been that they are not likely to get the benefit to which they are entitled, if they are going to have this University Bill. A teaching University on the lines probably of Western Universities will cost a lot of money and in the present state of our finance, there is no chance of having very large sums of money for the purposes of University education. Under these circumstances, the fear entertained by the mufassal colleges is that the money that will be given by the Government for University purposes may all be spent by the University in the city itself, with the result that the mufassal colleges will suffer and the day when they can develop themselves into Universities will be a matter of mere speculation. It is to avoid that fear, Sir, that this proposal is made. As I have said more than once, the Bill will necessarily place the mufassal colleges at a disadvantage. No doubt, it may be argued that 'we are not going to make them worse voluntarily; nothing is going to be done to make them worse than what they are at present'. This is no doubt true. But if the University with its constituent colleges is going to develop largely, the result will be that the difference between the two sets of institutions will be very great and comparatively the mufassal colleges will suffer very much. It is in this view, that is, to see that at least some consideration will be paid to the mufassal colleges so that they may not suffer very much and they may gradually develop into future Universities, that this amendment has been tabled. Now Sir, in the city they are going to have big laboratories, big libraries, University professors, University readers and so on. A large amount of money is going to be given by the Government for the purpose of providing all these. All these libraries, laboratories, professorships, readerships, etc., are going to be confined to Madras. The result will be the difference between the mufassal colleges and the city colleges will become very wide and the mufassal colleges will occupy a very inferior position indeed. So, the object of this amendment is to have a fair distribution of all these things—libraries, laboratories, professorships, readerships and so on—so that we can have them in the mufassal also, and the difference between the two sets of institutions may not be widened much. It is with this object that I heartily second the amendment moved by my friend, Mr. Krishna Rao, and I thank him for having taken the responsibility of moving it in my absence."

MR. C. RAMALINGA REDDI :—" Mr. President, Sir, I voted for the amendment being moved by my friend, Mr. Krishna Rao, so that we may have an opportunity of discussing it and throwing it out. The object underlying it is a laudable one and there will be no difference of opinion about it. The only point is whether the proposal suggested is possible and workable or whether it will really make the situation worse. At present, the University

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New clause after clause 43—cont.

does not give even a penny to any college, whether constituent or affiliated. The University funds are spent for those purposes which are common for all the colleges and which are provided by the University itself. We do not appoint University Professors in the Christian College or even in the Pachayappa's College. A University Professor is a University Professor; a University library is a University library, and so on. The whole idea that the Madras University distributes these grants to colleges seems to me to be the underlying fallacy of this amendment."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"May I say, Sir, that there is no such fallacy underlying this amendment or the speech that I have made? I know that no grants are made by the University to colleges. All I said was that that if you were going to have libraries, laboratories, professorships, and readerships confined to Madras, the difference between the city colleges and the mufassal colleges would be widened, so that if they could be made useful to the mufassal colleges also, they will be helped in some way. This is what I said and there is no fallacy in it at all."

Mr. C. RAMALINGA REDDI:—"I do not know if the explanation leads us very far. But the position is this. It so happens that, if any advantages are provided by the Madras University, certainly the local colleges will take advantage of them; so that the utmost that the Madras University can do is to adopt the policy of developing certain centres as possible University centres. It may be they are to spend some money for providing general library facilities, for higher work and so on. That idea is not embodied in this amendment. If the amendment indicates that a certain amount of money should be spent every year on centres to be selected, as future University centres, I can understand it. But as it is, the spending of money for the benefit of affiliated colleges or constituent colleges has never been the policy of the University and cannot really be now."

1-15 p.m. "The second point is whether the provision is workable. The University is not over-liberally supplied with funds, and if from these you give away not less than a third for the purpose of being spent outside the radius of ten miles, then you will be not only doing no good to the mufassal, but you will be retarding the possibilities of development here also. On the contrary, if the Government can undertake the responsibility with the recommendation of the Senate of developing certain centres of the mufassal as possible university centres, it is far better; for, in that case the entire responsibility will rest on the Government and not on the shoulders of the University. For these reasons I oppose this amendment."

The hon. Rao Bahadur A. P. PATRO:—"Sir, the amendment states that—

'the University shall allot and spend every year not less than a third of its annual receipts, including its income from fees, endowments and grants and the contribution by the Local Government, for the benefit of the affiliated colleges.'

It will be interesting to the hon. Members to know how the University stands with reference to its fee income. From an examination of the budgets of the last three years, it would appear that the fee income has always

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been on the minus side, and this year the income is minus Rs. 34,000. The receipts to this fund called the Fee Fund are composed of examination fees, fees for certificates, receipts from sales of books, compensation given by Government for the Secondary School-Leaving Certificate scheme and other miscellaneous receipts. Under the expenditure are the salaries of the University office establishment including the Registrar and Library, remuneration to examiners, superintendents of stationery and printing and examination charges. Under this item as well as the contribution to the Library grant, come the University lecturers. Studentships also are debited to this item.

“The following figures under receipts would better illustrate my position :—

‘For 1920–21, the income was plus Rs. 16,000. For 1921–22 it amounted to minus Rs. 67,000. For 1922–23, it is minus Rs. 36,000’.

“Then as regards endowments, hon. Members need not be told that endowments are earmarked for certain purposes by the donors themselves. We cannot interfere with them because there are conditions laid down for their administration. It is not within the power of the University to alter the source or purpose for which those endowments have been made by various donors.

“The third thing is grants and contributions by the Local Government. Attention has been drawn to this fact that Government grant-in-aid is given to mufassal as well as city colleges, and it is being distributed by the Director of Public Instruction according to the necessities of each college. So, this does not at all come within the purview of this Bill. These are the several points which the hon. Members will do well to consider in the discussion of this resolution.

“This contribution that is now proposed in the Bill is entirely to be spent for University purposes. It is not to be given to any constituent college at all. The professors of the University may be chosen either from the city or mufassal colleges. Therefore, the mufassal colleges have also the right to demand that some of the eminent professors of their colleges should be nominated as University professors. In the administration of the University fund, the mufassal colleges have been given a great voice. Not only can they advise the Council of Affiliated Colleges, but many of the mufassal members are represented on the Syndicate which is to be constituted. The Academic Council will also consist of representatives from mufassal colleges. There are various bodies to watch the financial interests of the mufassal colleges. Moreover, the earmarking of one-third of the revenue is not practicable. There will be no injustice done to any of the mufassal colleges and I shall be the last person to object to an amendment like this if I was not convinced that this would go against the interests of mufassal colleges.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“Sir, I only wish to state in reply that, notwithstanding the figures which have been put forward by the hon. the Minister, I do not think that there will be any harm done by the acceptance of this resolution. It will be found that though, in a particular year, the income from fees might not furnish a sufficient addition to the funds, we ought not to take the figures of the past few years as the basis

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New clause after clause 43—cont.

for consideration. We have, at any rate, a contribution from the Local Government provided for in clause 43 of the Bill wherefrom a sufficient sum can be set apart for this purpose. In this connexion, I should like to ask a question as to how the hon. the Minister has proposed to carry out the objects set forth in the Preamble of this Bill, viz. :

And whereas it is desirable by the concentration and co-ordination of resources for higher teaching and research at suitable centres outside the limits of the university to prepare for the institution of new universities.

“What are the steps by which it is proposed that facilities would be afforded to the colleges situated in the mufassal? We are all aware that the Government should do something for helping the affiliated colleges and there ought to be no objection to one means being devised for insisting upon the University making a grant to these colleges.

“My hon. friend, the Minister for Education, has expressed considerable sympathy with the position of mufassal colleges. He himself assured us that if he was satisfied that this clause would improve the position of affiliated colleges, he would not object to the insertion of this provision. May I point out to him that it does, to some extent, satisfy the requirements of the affiliated colleges, though I am not one who believes that this is all that need be done to safeguard their interests. Much more has to be done before they can be placed on a satisfactory footing. My amendment only seeks to put a definite obligation on the University, to take care of the interests of mufassal colleges with a view to organizing future university centres.”

The motion was put to vote and lost.

The following amendments were not moved, and were therefore deemed to have been withdrawn :—

Clause 44.

Mr. C. V. VENKATARAMANA AYYANGAR :—

224. *For the words ‘equivalent to’ substitute the words ‘not less than’.*

Rai Bahadur T. M. NARASIMHACHARLU :—

225. *For the words ‘equivalent to’ substitute the words ‘not less than’.*

Sriman BISWANATH Das Mahasayo :—

225—A *After the words ‘Annual net expenditure’ insert the words ‘and also all capital expenditure to be incurred in future’.*

Clause 44 was put and passed and added to the Bill.

Clause 45 was put and passed and added to the Bill.

The following amendments were not moved, and were therefore deemed to have been withdrawn :—

Clause 46.

Rai Bahadur T. M. NARASIMHACHARLU :—

226. *For the words ‘Chancellor on a salary . . . as he thinks fit’ substitute the words ‘Governor of Madras and shall hold office until a Vice-Chancellor is elected under sub-section (1) of section 11’.*

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Clause 46—cont.

Mr. C. V. VENKATARAMANA AYYANGAR :—

227. *For the word 'three' substitute the word 'two'.*

Sriman BISWANATH DAS Mahasaya :—

227-A. *Omit the words 'on a salary to be fixed by him'.*

Rao Bahadur A. S. KRISHNA RAO PANTULU :—

228. *For 'three years' substitute 'two years'.*

Clause 46 was put, passed and added to the Bill.

The following amendments were not moved and were therefore deemed to have been withdrawn :—

Clause 47.

Sub-clause (1).

Rai Bahadur T. M. NARASIMHACHARLU :—

229. *After the word 'Vice-Chancellor' insert the words 'appointed under section 46'.*

Sub-clause (2).

Rai Bahadur T. M. NARASIMHACHARLU :—

230. *For the word 'Chancellor' wherever it occurs substitute the words 'Governor of Madras'.*

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—

231. *Add at the end the following :—*

'and such authorities shall be constituted in accordance with such rules.'

New sub-clause after sub-clause (2).

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—

232. *Insert the following as sub-clause (3) :—*

'(3) Notwithstanding anything contained in this Act, the first Council of Affiliated Colleges shall be deemed to have been duly constituted without the appointment of the teachers by the Academic Council as members thereof as required in Statute IV (vi) and the first Academic Council shall be deemed to have been duly constituted without the election of the five members by the Senate under 23 (i), Class II (3).'

Clause 47 was put, passed and added to the Bill.

Clause 48.

Sub-clause (1).

Rao Bahadur A. S. KRISHNA RAO PANTULU :—*"Insert the following at the beginning of the sub-clause :—*

'Subject to the provisions of section 47 and the sanction of the Chancellor.'

"It will be found that as a consequential amendment, the words

'subject to the sanction of the Chancellor

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Clause 48—cont.

at the end of sub-clause (2) will have to be omitted. Sir, I think this amendment is necessary for more reasons than one. In clause 47, sub-clause (2), the Chancellor is given power to appoint the advisory committee. The committee, therefore, will be appointed only under sub-clause (2) and not sub-clause (1). I therefore think it is necessary that so far as clause 48 is concerned it must be subject to the operation of provisions of clause 47. That is, subject to the provisions of clause 47 and the sanction of the Chancellor, the Vice-Chancellor shall have the power of appointing such advisory committees. It will be found that so long as clause 47 gives power to the Chancellor to appoint advisory committees and the necessary establishments, it is essential that in clause 48 we should make a reference to clause 47. And the further object of the amendment is that sanction should be obtained under both sub-clause (1) and sub-clause (2) of clause 48. I think, Sir, this is a necessary amendment which ought to be accepted."

Rai Bahadur T. M. NARASIMHACHARLU seconded.

The Council adjourned for lunch at 1-30 p.m.

The Council re-assembled after lunch at 2-30 p.m. with the hon. the Deputy President in the Chair.

Mr. C. P. RAMASWAMI AYYAR (Advocate-General):—Mr. President, Sir, I take it that the hon. Member Mr. Krishna Rao at first adverts to clause 47, sub-clause (2) and points out perfectly rightly that in forming an advisory committee for framing certain rules that may be necessary for regulating the method of election, the Vice-Chancellor must take the approval of the Chancellor. The other clause we are concerned with is this. Clause 48, sub-clause (1) says: 'the Vice-Chancellor shall have power to appoint such advisory committees as he may think fit'. I take it that these two clauses have to be read together. So read, they will involve this position, that where an advisory committee for the purpose of drawing up the rules is concerned, the permission or the sanction of the Chancellor will be necessary; while in other matters of a routine character where there will be committees not falling within clause 47 (2), the Vice-Chancellor can form advisory committees for the purpose of his own instruction and guidance. It seems to me that there is no necessary hiatus between the one and the other and there is no necessary contradiction."

The amendment was put and lost.

The following amendments were not moved:—

Sub-clause (2).

Rai Bahadur T. M. NARASIMHACHARLU:—

234. *Omit the words 'clerical and menial'.*

Rai Bahadur T. M. NARASIMHACHARLU:—

235. *Omit the words 'subject to the sanction of the Chancellor'.*

Rao Bahadur A. S. KRISHNA RAO PANTULU:—

236. *Omit the words 'subject to the sanction of the Chancellor'.*

Clause 48 was put, passed and added to the Bill.

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New clause 49.

Mr. C. P. RAMASWAMI AYYAR (Advocate-General):—"Mr. President, Sir, I desire to move the following amendment:—

236-A. (i) *Insert the following as clause 49:—*

'49. If any difficulty arises as to the first constitution or reconstitution of any authority of the university after the commencement of this Act, or otherwise in first giving effect to the provisions of this Act, the Local Government, as occasion may require, may by order do anything which appears to them necessary for the purpose of removing the difficulty.'

(ii) *Re-number the subsequent clauses.*

This is a clause which occurs in various enactments like the present, constituting new bodies and it is for the purpose of saving difficulties and deadlocks that I propose this clause."

Mr. A. RAMASWAMI MUDALIYAR:—"I beg to second the motion."

The motion was put and carried.

The new clause was added to the Bill.

Clauses 49 and 50.

Clauses 49 and 50 were put and carried and added to the Bill.

Clause 51.

Mr. S. ARPUDASWAMI UDAYAR:—"Mr. President, with your permission and the permission of the House, I would move this amendment with some slight alteration. In the first line instead of 'within six months after the passing of this Act' I should like to insert the words 'one year after its constitution' and in the second line I drop the word 'potential'.

The permission being granted, Mr. Udayar continued:

"I move, Sir, the following amendment:—

For clause 51 substitute the following:—

'51. The Senate shall, one year after its constitution, submit to the Local Government the name of at least one university centre for each principal linguistic area, and it shall, at the end of five years from the passing of this Act, submit a report to the Local Government on the desirability or otherwise of recognizing and incorporating any or all of these university centres as distinct and independent universities. The Local Government shall lay the report before the Legislative Council and shall take such action as it deems fit.'

"This amendment, Sir, is quite in keeping with the objects of this Bill. The Bill aims at creating a local university in Madras and promoting higher university teaching and research work at certain suitable centres outside this local university. All that I contend for is that the sooner these university centres are selected, determined and recognized, the better it will be for the preservation of some cultural centres in the mufassal so as to have ultimately certain independent universities there. The third paragraph of the preamble speaks of the desirability of the co-operation and co-ordination of teaching resources at certain suitable centres with a view to form future

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Clause 51—cont.

universities. And we find the very word 'centre' inserted in several other places in the body of the Bill. Also, the definition of a university centre has been accepted by this Council. What remains to be done is to make provision for the selection of these university centres at least one for each principal linguistic area.

"Secondly, Sir, this amendment is a very modest one. Indeed, it is a kind of compromise. I would ask the hon. Members of this Council to remember that in 1920 the Senate of the Madras University adopted a resolution that the demands for liberal education were so very great that the time was come for starting universities one for each principal linguistic area, and to this was tacked on another clause that steps should be taken at once for the formation of an Andhra University. The only amendment was to drop the word 'up' in 'taken up'. Therefore, Sir, the position is very clear. The Madras University was considered to have been far too unwieldy for the purpose of promoting liberal culture throughout the length and breadth of this Presidency, and the position taken up was that the time was come for having distinct and separate universities. And all members will agree with me in saying that this position once taken up must certainly be adhered to, and there cannot be any receding from it. I may also state that what was really in the mind of the Senate when it threw out the Bill when it was first sent up to it was that, in accordance with this declared policy facilities for liberal culture should be provided in mufassal centres simultaneously with the provision of such facilities in the metropolis. I do not want these universities to be started at once. But I want that the university centres should be recognized so that there may exist some nuclei of future university life in the different parts of the Presidency. When funds become available, the conditions necessary for starting universities will be there, and it will be easier to start independent universities under more favourable circumstances and with less initial cost.

"Thirdly, Sir, in the Sadler Commission's Report especially in the chapter on the mufassal colleges, the Commissioners point out the disadvantages which might result from the institution of teaching universities in Calcutta and Dacca. They speak of the danger to the mufassal: of its colleges being denuded, of their fall in prestige—results which they term disastrous and unhappy. And the only alternative which they suggest, the only point they emphasize and insist upon throughout that chapter and also in other chapters is the desirability of making the stronger and better mufassal colleges potential universities or as they are termed here university centres. They will be the centres of intellectual life, and even independent thought, and by retaining all these cultural centres it will be possible by systematic aid and encouragement to develop them to a state of efficiency when the institution of a university will follow as a matter of course.

"I would advise the members present here with all the enthusiasm which I can summon to this cause that they would do well to consider that while they are trying their best to tend and nurse this tree, it is quite natural that they should also take care to tend and nurse some saplings in the mufassal so that these saplings may develop into trees, that these university centres may develop into independent universities. As a matter of fact, Sir, I may

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Clause 51—cont.

assure the House there is already a good deal of panic in the mufassal. Hon. Members will say that there is no reason whatever for such panic to exist. I will only ask them to go back and recall the days when the University Act was introduced. There was a real panic, and I know that several institutions were closed: the C.S.M. College, the St. Mary's College, Armenian Street, San Thomé College, Mylapore, the St. Joseph's College, Cuddalore, St. Michael's College, Coimbatore, and even some first-grade institutions like the St. Peter's College of Tanjore. But many members in the Senate fought very hard for the second-grade colleges, and during the last seven or eight years there has been a good deal of development, a good deal of activity going on in the mufassal. If we do not recognize certain strong colleges in the mufassal as university centres or groups of colleges as university centres, the only result will be discouragement, panic. And if they fall in prestige and do not attract students, there will be no inducement, no encouragement for the principals of these institutions or the agencies running them to go on spending money. If an amendment like this is not accepted—if members think that one year is not sufficient, they can even suggest two years—if some sort of assurance is not given that some of the stronger colleges will become university centres and later on, after ten or twenty years, develop into independent universities, I think the result will surely be panic. There will be discouragement, and many will not be induced to spend money for the sake of providing higher university teaching and research work.

“The very name university centre has a great deal to recommend itself. It means that the principals or the agencies running colleges will be ready to equip special laboratories for making experiments of a special nature and go on in the hope that their efforts will certainly produce very great good and that there is a possibility, a chance, a sure chance, of their centres being developed into an independent university.

“Therefore, Sir, granting that the definition has been accepted by this Council, it follows that the House will be doing something very proper to provide some sort of machinery for the selection of the university centres. Otherwise, I fear the whole thing would look like a ruse or a stratagem: something to apparently satisfy the mufassal colleges, but in reality to fill them with doubt and suspicion. For these reasons, I make a personal appeal, as one who is aware of the anxiety felt in the mufassal, as is evidenced by the fact I am here again at the request of many, to move this amendment, to the hon. the Minister for Education and other hon. Members of this Council to accept this amendment.”

Sriman SASIBUSHAN RATH Mahasayo seconded the motion.

The hon. Rao Bahadur A. P. PATRO :—“Sir, I am constrained to state that I am not able to agree with my hon. friend, Mr. Arpudaswami Udayar. While appreciating his anxiety that university centres should be recognized, as early as possible, I am not able to see that by delay of five years there will be any danger or panic in the matter. The hon. Members will be pleased to see that the proposal that at the end of five years the whole thing

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Clause 51—cont.

should be inquired into and recommendation should be made for suitable centres is one of the very good proposals made by Diwan Bahadur R. Venkataratnam Nayudu Garu in the Select Committee and it was agreed to by all the members of that committee. They considered the question and the proposal made was that a period of five years should be allowed to the university, so that the various bodies may be in working order, the condition of the mufassal colleges may be watched meanwhile, and the various organs and representatives from the mufassal colleges may have an opportunity of knowing how things are going on. When the Senate initiates this inquiry at the end of five years, we shall have substantial grounds to go into the matter and then, if any difficulty is found, it may be rectified.

“The wording of clause 51 of the Bill is :

The Senate shall at the end of five years from the passing of this Act submit a report to the Local Government on the condition of Affiliated Colleges and on the desirability or otherwise of establishing other universities outside the limits of the university. The Local Government shall lay the report before the Legislative Council and shall take such action on it as it deems fit.

“My hon. friend is urging that this period of five years should be reduced to one year, because his amendment is to the effect that the Senate shall one year after the passing of this Bill institute an inquiry and so on.”

Mr. S. ARPUDASWAMI UDAYAR :—“I said, ‘after the constitution of the university.’”

The hon. Rao Bahadur A. P. PATRO :—“It will taken early six months to bring into existence the various bodies of the university prescribed in the Bill, and after the new university is constituted, it may perhaps take another year for the Senate to meet, because the Senate has to meet once a year. Even taking this bare fact into consideration, the request made in the amendment does not hold good. On that ground, therefore, I am not able to agree with the mover.

“What I do urge on the attention of this House is that the period of five years is just the time when both the mufassal colleges and the university will be able to understand each other very well as to the real needs of the mufassal colleges and their relations with the university. At the end of five years when the Government looks into the report and submits proposals to this House for consideration the whole matter will be gone into and the question of forming not merely centres but even new universities will be decided. I do not think therefore that the period of five years is in any way unreasonable nor is there any room for such grave anxiety as has been given expression to by my hon. friend the mover. I am therefore not able to accept the amendment proposed.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“Sir, I support this amendment. I am afraid that the amendment of my hon. friend, Mr. Arpudaswami Udayar, has not been correctly understood by the hon. the Minister for Education. In the latter portion of his amendment he specified the period of five years which does not therefore affect the position taken in clause 51. Clause 51 is to the effect that

the Senate shall at the end of five years from the passing of this Act submit a report to the Local Government on the condition of affiliated colleges and on the desirability or otherwise

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Clause 51—cont.

of establishing other universities outside the limits of the university. The local Government shall lay the report before the Legislative Council and shall take such action on it as it deems fit.

It presupposes that the inquiry might be commenced or should have been commenced much earlier than the period of five years. It only states that at the end of five years a report shall be submitted regarding the condition of affiliated colleges and the establishment of other universities. It does not militate against the view which has been put forward in this amendment that other steps should be taken even before the expiry of that period of five years. In the latter portion of this amendment, the hon. mover retains that provision; in the first portion, he suggests that the Senate should within one year after the constitution, submit to the local Government the name of one centre for each linguistic area. In the latter portion the amendment says that the Senate shall,

‘at the end of five years submit a report to the local Government, etc.’

There is thus, I submit, no inconsistency between the two views. The hon. mover does not state anything against the provisions of clause 51 as amended by the Select Committee. He only suggests that for the purpose of carrying out that object, it is necessary for the Senate to nominate two centres at least, one in each linguistic area within the period of one year after constitution of the Senate. I think that suggestion is a very reasonable one and should be accepted by this House, for it is not possible for one to think of having new universities established unless so much of preliminary work is carried on beforehand. This House accepted, and very properly accepted, the new provision made for the constitution of new university centres. Having done that, is it not incumbent on this House to go further and make provisions for settling these university centres at the earliest possible opportunity, so that new universities may be established without difficulty? In this case, if the period of one year from the constitution of the Senate is considered too short, I can understand the suggestion that it should be extended by six months or so, but to state that during the period of five years nothing should be done for the purpose of settling these university centres, is not, I think, reasonable.”

Mr. A. RAMASWAMI MUDALIYAR:—“Sir, I very much regret that in spite of the very personal appeal that has been made by my valued friend, Mr. Arpudaswami Udayar, I am constrained to oppose his motion. Sir, my position is based mainly on the ground that the proposition which the hon. Member has put forward is a very impracticable proposition. His amendment is that the Senate shall be compelled, within one year after its constitution, to submit to the local Government the name of at least one university centre for each of the linguistic areas. After that report nothing is to be done for the next four years. The hon. mover has not suggested that anything should follow on the choice of a university centre for each linguistic area. Now we have defined what a university centre is, and in the new amendments which have recently been passed by this Council we have provided that the Senate should make statutes and make recommendations to the local Government for the recognition of local areas as university centres. We have further provided that statutes may be made as to the condition of recognition by the Senate of local areas to be constituted by the local

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Clause 51—cont.

Government as university centres. Having done all this without any reference to these conditions, without giving a chance to the Academic Council and other bodies of the university to say what conditions should be fulfilled before a centre is recognised as a university centre, without giving a chance to the centres themselves to equip themselves so as to satisfy those conditions, to make a positive and obligatory provision that the university should without any reference to its own conditions select, within the course of one year, centres for each of the linguistic areas is, I think, a bit unreasonable. We have given the power to the Senate to make recommendations to the local Government as regards university centres. We have provided that before the Senate makes such recommendations it should satisfy itself that certain conditions should be fulfilled. We have provided further that the Academic Council and other academic bodies of the university should lay before the affiliated colleges the conditions which they should satisfy before any local area is selected as a university centre.

"This amendment militates against the whole scheme. It says that the Senate should at the end of one year, select one centre for each linguistic area. Now, are we to think that there will be five centres ready for the Senate to recommend within one year? On what basis is the Senate going to make its recommendation? My hon. friend, I can shrewdly suspect, has one centre in his mind, and I quite sympathise with him in his anxiety to get that centre declared as a university centre immediately or as early as possible. But that does not prevent me from saying that it will interfere with the framework of the whole scheme. How are you to select a centre? Take the Kerala. Is there any condition which can be fulfilled within the course of one year which may be laid down by the Academic Council, so as to enable, within the short space of one year, a local area in the Kerala country to be made a university centre? If the Senate fixes within one year, say, about five centres, then it will handicap itself. It will be impossible for it to go back upon its selection. It will be impossible for it to insist upon certain conditions being fulfilled. The whole scheme of this Bill in which we have been making provisions for conditions to be prescribed and for conditions to be fulfilled before local areas are recognized as university centres falls through. We may as well say that the local Government may at once say that two or three centres are university centres. For that reason, if for no other, I am constrained to oppose this motion."

Diwan Bahadur R. VENRATARATNAM NAYUDU :—"Mr. President, it seems to me that my hon. friend, the Minister, has done me the honour of naming me as having made a very important proposal in the Select Committee. It is implied, at any rate to my mind, that in view of that proposal this proposal of my hon. friend, Mr. Arpudaswami Udayar, will be impracticable, if not undesirable. In view of that circumstance, I am obliged to say a word or two.

"Personally I do not see why the amendment in the Select Committee stage (which it was said was accepted at my suggestion) should shunt out this amendment at all.

"If we have accepted this new idea of 'University centres' and if we really mean that that idea should be worked out, not of course expeditiously but as early as possible, then there must

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Clause 51—cont.

be some indication of the time by which and the process according to which an attempt should be made to name some University centres. At the same time, Sir, I believe there is some point in what my hon. friend, Mr. Ramaswami Mudaliyar, has said, viz., that it would be asking for something more than what is possible and what is reasonable if we state that every linguistic area should have a 'University centre'. Consequently I would only request that this proposal might be put in a different form so as to make it a little more plastic and general, and at the same time to secure the object in view. With your permission, Sir, and the permission of the House, I should therefore like to suggest that this amendment might be accepted in a slightly different form. With your permission I shall read the form which I mean suggesting:

'The Senate shall within a year after the constitution of the several authorities of the University submit to the Local Government a report on the practicability of one or more University centres being established.'

I shall leave out all the rest upto—

'The Local Government shall lay the report before the Legislative Council and shall take such action as it deems fit.'

The hon. the PRESIDENT :—"What the hon. Member, Mr. Venkataratnam Nayudu, proposes is a complete recasting of the clause which really cannot come into Mr. Arpudaswami Udayar's motion. I think we had better dispose of the present amendment, and the hon. Member Mr. Venkataratnam Nayudu may make his own motion later on. That would be the proper course. Now, Mr. Arpudaswami Udayar will reply."

MR. S. ARPUDASWAMI UDAYAR :—"Mr. President, Sir, the answers that have been made by my hon. friend, the Minister for Education, and my hon. friend, Mr. Ramaswami Mudaliyar, are not really very serious.

"The hon. the Minister for Education says that after five years the constituent colleges and the mufassal colleges will understand each other. Well, how that understanding is to be arrived at, I fail to realize. Is it that the mufassal colleges are to understand that they are in an inferior position and that there is no possibility of their developing into Universities? ('Hear, hear') If that is the kind of understanding, then, Sir, there is no use whatever of this sort of understanding being arrived at. My hon. friend says that this is an impracticable proposition. How is it impracticable, Sir? The Senate comes into existence and its first act will naturally be to impose conditions and to see whether those conditions are fulfilled; but what are these formidable conditions? That a certain college has firstly the requisite staff, secondly that it has a proper equipment, that it has been doing very good work and that it has already been making provision for post-graduate studies or honours courses—the very conditions which every reasonable body will find it necessary to impose. These conditions, the Senate will see, are fulfilled, and then it will naturally be very easy for it to allow the institutions to go on with their work, to call them 'University centres' and also to encourage others which are in a fair way of perfecting their equipment to be called 'University centres'.

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Clause 51—cont.

“As for the conditions and restrictions of which Mr. Ramaswami Mudaliyar spoke, I realize that no Senate or other authority of the University will blindly recognize a University centre without imposing conditions and without sending a commission of inquiry, and if a year and a half is too short a period, let them have two years. That is certainly a fairly long period for making this kind of inquiry and for satisfying oneself whether the requisite conditions are fulfilled. And, if even within that period it is not possible for the Senate to recognize what the centres should be, what possibility is there, what remote chance is there for any centre being recognized as a University centre? It amounts to saying ‘away with all those centres’. How many centres are there? It is very easy to see. Our friend, Mr. Ramaswami Mudaliyar, spoke of the Kerala country. If that is the sort of argument that is going to be put forward in this House, I fear the mufassal members will feel greatly dissatisfied, and I wish hon. Members to decide whether at the outset in Kerala, Maharaja’s College, Travancore, cannot be declared a university centre. I remember one hon. Member asked why if mufassal members were discontented they could not cut away from this Bill. My answer is, ‘why not you metropolitan members cut away and leave the Madras University to function for the mufassal’?”

Rev. Dr. E. M. MACPHAIL :—“Mr. President, Sir, I think that those hon. Members who spoke in support of this proposal do not quite realize the amount of work that will lie before the newly organized University before it is really a working concern. You may remember that when the new University Education Act of 1904 was brought in it took till the end of 1906 to draw up a new constitution for the University. It was not until the end of 1906 that the constitution under which we are now working was completed, and even then it had to be completed in a hurry, because Government was constantly calling upon us to hurry up and get it finished in order to put the University in working order. If this Bill is passed, it seems to me that it will take the best part of a year before these new bodies are definitely constituted. I do not think it will be possible to get the governing bodies of the University into working order until the best part of the year has passed. And when that has been done, it will be necessary for the University to tackle all the questions which in the meantime have been shelved and to frame Statutes and Ordinances to replace the old regulations of the existing Madras University. It seems to me that that is the first thing that the new University will have to attend to, and the consequence will be, to my mind, that it will take the best part of three years before this new University is brought into working order at all. I do not see why the new University should be tied down to conditions as regards University centres. The first thing it will have to do will be to draw up the regulations which are required to take the place of the existing regulations of the present University. Therefore, Sir, I doubt very much whether it will be possible at once to complete what the hon. Member desires should be done, namely, that the University should be compelled to name the University centres in each linguistic area within one year.

“He has referred no doubt to St. Joseph’s College and to the Trivandrum College, both of which are first grade colleges teaching the Honours courses.

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[Rev. Dr. E. M. Macphail]

Clause 51—cont.

But at the present moment, if I remember right, I do not think there is any college in the Andhra country which is teaching Honours subjects. I may be wrong, but I think the same is the case with the Malayalam area except for the Maharaja's College, Trivandrum. Now, it is perfectly true that he gives a chance of naming more centres than one, and what I feel will be done if this motion is carried and the matter comes up to be considered at an early date in the new Senate is this: it will be said 'Don't make the conditions of recognition of a University centre too severe for it will not be possible for you to find one University centre in each of the linguistic areas'; so it will be necessary for us to make the conditions fairly moderate, and if we make the conditions fairly moderate, then I am certain that in every centre local patriotism will make itself felt and say 'Don't name one centre but several centres'. I understand, though I have come back to this country only recently, that there is a difference of opinion in the Andhra area as to what should be the centre of the new University there. I am perfectly certain that when it is proposed that Trichinopoly shall be a University centre, there will be a strong demand made by people that Madura which is a larger town than Trichinopoly should also be a University centre. I am perfectly certain that if things are to be done properly it will be necessary ultimately to recognize more than one University centre in, at all events, two of the linguistic areas, and I think it is too much for the Senate to be compelled by legislation to be restricted by a date to state what are to be the University centres. I do not think that the fears of my hon. friend are at all real. Every one, I suppose, is perfectly well aware that Trichinopoly is certain to be a University centre, and every one recognizes that if the St. Joseph's College continues to be doing the work it does as also the other colleges there, Trichinopoly is sure to be one of the first places to be recognized. With regard to Trivandrum, it is a difficult question because if we make Trivandrum a University centre, certainly it will be necessary to make another University centre in the northern Malayalam country. I think it will be a handicap if the new Senate is compelled within a comparatively short time after its constitution, when it has a tremendous amount of work to do, to name what the University centres of the future are to be. I say this in no spirit of hostility to the mufassal colleges which I certainly do not feel, and I certainly do not want that the provision which has been introduced into the Bill by the Select Committee should be in any sense a dead letter; but I do feel that the restrictions as proposed in this amendment will really be a handicap to the new University."

3-15 p.m.

Mr. S. Arpudaswami Udayar demanded a poll and it was taken with the following result:—

Ayes.

- | | |
|--|---------------------------------------|
| 1. Diwan Bahadur M. Ramachandra Rao Pantulu. | 6. Sriman Sasibhushana Rath Mahasayo. |
| 2. Rao Bahadur A. S. Krishna Rao Pantulu. | 7. Mr. M. R. Seturatnam Ayyar. |
| 3. Mr. C. V. Venkataramana Ayyangar. | 8. " M. Suryanarayana. |
| 4. " A. T. Muttumanickachari. | 9. " S. Arpudaswami Udayar. |
| 5. Rai Bahadur T. M. Narasimbacharlu. | 10. " T. Arumainatha Pillai. |
| | 11. Rai Sahib E. C. M. Mascarenhas. |

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Clause 51—cont.

Noes.

- | | |
|--|---|
| 1. The hon. Sir Charles Todhunter. | 18. Rao Bahadur P. C. Ethirajulu Nayudu. |
| 2. „ Khan Bahadur Sir Muhammad Habib-ul-lah Sahib Bahadur. | 19. Mr. W. P. A. Saundarapandiya Nadar. |
| 3. „ the Raja of Panagal. | 20. „ T. Somasundara Mudaliyar. |
| 4. „ Rai Bahadur K. Venkatarreddi Nayudu. | 21. „ S. Somasundaram Pillai. |
| 5. „ Rao Bahadur A. P. Patro. | 22. Diwan Bahadur P. Kesava Pillai. |
| 6. „ Mr. A. R. Knapp. | 23. The Rev. W. Meston. |
| 7. Mr. C. P. Ramaswami Ayyar. | 24. Mr. A. T. Palmer. |
| 8. The Rev. Dr. E. M. Macphail. | 25. „ M. Ratnaswami. |
| 9. Mr. R. G. Grieve. | 26. The Raja of Ramnad. |
| 10. Rao Bahadur K. Ramunni Menon. | 27. Mr. A. D. M. Bavotti Sahib. |
| 11. Mr. E. F. Thomas. | 28. Mustapha Ravuttar Ahmad Miran Sahib. |
| 12. „ E. Periyarayakam. | 29. Saiyid Muhammad Padsha Sahib. |
| 13. „ A. Ramaswami Mudaliyar. | 30. Saiyid Diwan Abdul-Razzaq Sahib. |
| 14. „ K. Adinarayana Reddi. | 31. Khan Sahib Munshi Muhammad Abdur Rahiman Sahib. |
| 15. „ S. R. Y. Anikedu Prasad. | 32. Khan Bahadur Muhammad Usman Sahib. |
| 16. „ M. Appalanarasayya Nayudu. | 33. Rao Sahib M. C. Madurai Pillai. |
| 17. Rao Bahadur V. Appaswami Vandayar. | 34. Mr. R. Appaswami Nayudu. |

Eleven voted *for* the amendment and 34 *against*.

The amendment was lost.

When the above poll was being taken and when the Secretary was counting the number of votes in the third block, Diwan Bahadur Sir P. TYAGARAYA CHETTIYAR rising from his seat said :—“ May I inform the hon. the President that I did not hear him when he said ‘ those who are against ’ in this block ? ”

The hon. the PRESIDENT :—“ Any query must be put to me after the thing (polling) is over and before the result is announced.”

Diwan Bahadur Sir P. TYAGARAYA CHETTIYAR :—“ I did not hear.”

The hon. the PRESIDENT :—“ I am extremely sorry. I shall look at the total first before I consider this question further.”

At this stage the result of the poll was announced.

Diwan Bahadur Sir P. TYAGARAYA CHETTIYAR :—“ I do not press my point, Sir.”

The hon. the PRESIDENT :—“ The hon. Member Mr. Venkataratnam Nayudu, will tell me how his amendment differs from the previous one (237) and how exactly it covers a new ground ? ”

Diwan Bahadur R. VENKATARATNAM NAYUDU :—“ It differs from the other in three respects. First is it does not enjoin the naming of at least one University centre for each principal linguistic area. It only requires that one or more University centres might be named irrespective of, and without any necessary conjunction with, linguistic areas.”

The hon. the PRESIDENT :—“ Since the hon. Member has not given notice of his amendment, I will now take the permission of the House to allow him to move his amendment.”

The House granted permission to Diwan Bahadur R. Venkataratnam Nayudu to move his amendment.

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Clause 51—cont.

Diwan Bahadur R. VENKATARATNAM NAYUDU :—" Sir, the amendment that I beg leave to move runs thus :

' The Senate shall, within a year after the constitution of the several authorities of the University, submit to the Local Government a report on the practicability of one or more University centres being established. The Local Government shall lay the report before the Legislative Council and shall take such action as it deems fit.'

" To begin with, I am unable to agree with the hon. the Minister in thinking that the object in view is realized by the other clause that he referred to, viz., a clause that provides for a report on the affiliated colleges after five years. For, as a matter of plain arithmetic, it would mean the establishment of a mere University centre, not a separate University, only after five years I beg leave to emphasize that point. The establishment of a University centre which is to be merely the inaugurating process of a new University itself is to come after five years; whereas we who are interested in the mufassal colleges—I do not say more interested than my esteemed friend, Dr. Macphail who said 'interested as I am in mufassal colleges'—are of opinion that this initial step of naming certain local areas as University centres to develop in the course of time into separate Universities should be taken at a much earlier stage at a much earlier period than a full quinquennium.

" Then, Sir, it was pointed out as an objection to the amendment of my hon. friend, Professor Arpudaswami Udayar, that he contemplated only the constitution of the Senate, and that after that body had been constituted it would require a considerable amount of time to constitute the several authorities of the University, such as, the Syndicate, the Academic Council and so on. Consequently, to meet that objection which I believe valid to a certain extent, I move this amendment by saying that this period of one year shall run after the constitution of the several authorities of the University. Therefore, it will mean perhaps a year or a year and a half more. For this period will begin to count after the Act has actually come into force.

" Then again, Sir, another objection that was raised was that there would be a certain amount of obligation placed upon the Government to give at least one University centre for each principal linguistic area. I see there is some point in that objection, and therefore I wish to achieve the object by giving my support to the idea of new Universities elsewhere, without at the same time, handicapping the Government with any unnecessary restrictions and limitations, by urging that one or more centres, irrespective of linguistic areas, might be recommended.

" Again, Sir, I note that the report should only state whether it would be practicable. It is quite open to the report, after due consideration has been given to the question, to say that the time has not yet come. It has only to say whether the time has come and whether it will be practicable.

" Lastly, Sir, as in the amendment of my friend, so in this amendment, the report goes to the Government; it is placed before the Legislative Council and action is taken after these two bodies have had time to consider

[Mr. R. Venkataratnam Nayudu] [5th February 1923]

Clause 51—cont.

the question. Under these circumstances, Sir, all that is desired is this, viz., to reassure the mufassal colleges that we do mean what we say, and that we are in earnest about the inauguration of new Universities. Otherwise, Sir, barely inserting that definition, but not naming some period of time within which an endeavour should be made to establish one or more such centres, would look as though, to adopt a well-known line, we are holding out hopes to the ear, only to break them to the heart."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Sir, I have very great pleasure in seconding this amendment. I think the amendment moved by my hon. friend avoids the difficulties pointed out by the hon. Rev. Dr. Macphail. I might perhaps draw the attention of the hon. Members to the Transitory Provisions in clause 47 which says:

It shall be the duty of the Vice-Chancellor to make arrangements for constituting the Senate, the Syndicate, the Academic Council and the Council of Affiliated Colleges within six months after the date of his appointment or such longer period, not exceeding one year, as the Local Government may by notification direct.

That would be the first step which the Vice-Chancellor has to take after his appointment. That is, he has to make arrangements for the constitution of the Senate and the authorities of the University. My hon. friend proposes that the Senate which is to be constituted shall, within one year after its constitution, submit a report on the practicability or otherwise of one or more University centres being established. I cannot imagine a more reasonable proposal than this, and I heartily endorse every word of what my hon. friend has said. The promise held out by the acceptance of the amendment for the adding of the definition of 'University Centre' cannot be given effect to if this amendment is not accepted. Under these circumstances I think that it is absolutely necessary that this amendment should be accepted."

The hon. Rao Bahadur A. P. PATRO:—"I am sorry that I am not able to agree with either the hon. the mover or the hon. the seconder of this amendment. The operative part of the definition that was accepted, namely, the 'University Centre', is clause 51. That is, the Senate shall, at the end of five years from the passing of this Bill, submit a report to the Local Government on the condition of affiliated colleges and on the desirability or otherwise of establishing other Universities outside the limits of this University. Now, it is suggested that the institution of an inquiry before the period of one year after the various bodies are constituted is necessary so that the University centres may be determined. While I do not yield to anyone in my appreciation of the work of the mufassal colleges, I would most respectfully submit to this House to consider this aspect of the question, namely, that what to-day appears to be favourable for forming a University centre may not be so to-morrow, and conversely a locality in which the most unfavourable circumstances exist to-day may soon develop itself in the course of two or three years into a most splendid centre for University purposes. I shall take a concrete example. Madura, which has a first-grade college, may not seem to be very well equipped now; but I know that efforts are being made to improve it now, so that the Madura college bids fair to become

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[Mr. A. P. Patro]

Clause 51—cont.

a University centre in the near future. Similarly, in Chidambaram, rapid efforts are being made to convert the college into a most model one with the result that in the course of two or three years Chidambaram could be reckoned as a centre fit for a University. Similarly in the north, if we consider that the Rajahmundry college is not well equipped now to be chosen as a University centre, probably, in the course of two or three years, efforts might be made by the Government—especially after the profitable discussion that took place in this Council—to equip the Rajahmundry college also as well as the Madras Presidency college. Thus, in the course of a few years, Rajahmundry might develop into a centre fit for the establishment of a University. Similarly, the colleges at Vizagapatam and Vizianagram might rapidly develop so as to be fit centres for University. Therefore by rushing through matters, and by anticipating the five years period fixed in the Bill, we are really not doing justice to the mufassal colleges, and we are also not calculating all the available material. We do not also take into consideration the potentialities that there are in this country and in the various mufassal colleges for rapid development. Therefore I submit that to ask that, within a period of one year after its constitution the Senate shall make a declaration of all the future University centres, is really not doing justice to the various mufassal colleges; for, as I said, a college which may appear to be well equipped to-day may not continue to be so in the course of a few years, and another college which may appear to be ill-equipped to-day may soon develop itself in such a manner that it may be fit to be a University centre. Therefore if the House should accept this amendment, it will not be doing justice to the various mufassal colleges which are now struggling and striving to rise and develop themselves into fit centres for future universities. In order to give time to the colleges which are at present not well-equipped and also in order to give time to those which are at present well-equipped to be better equipped, it is necessary that the period of five years fixed in clause 51 should be retained. There is no need to institute a preliminary inquiry within one year after the various bodies constituting the University are established and to declare the centres for future universities. For these reasons, I am very sorry, I cannot accept the amendment."

Mr. T. ARUMAINATHA PILLAI:—"I think, Sir, that the reasons adduced by the hon. the Minister are the very reasons why this amendment should be accepted by this House. The hon. the Minister said that time and circumstances might differ, that certain centres which seemed fit to-day for the establishment of a future university might not be fit in the next year and certain other centres which were not fit to-day might soon develop themselves rapidly so as to be fit in the course of five years. That is the very reason why my hon. friend, Mr. Venkataratnam Nayudu, has moved this amendment. He wants you to choose not one centre but several centres in each linguistic area for the establishment of future universities. You can tell those centres: 'well, if you develop yourself rapidly within the period of five years and if you come up to the University standard, then you will form a University.' If we assure a particular centre that at future time University will be established there, that centre will put forth all its best

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Clause 51—cont.

efforts to equip itself on the most modern lines so as to be deemed fit for the establishment of a University. But to keep the various mufassal colleges in suspense by telling them that they should go on developing themselves into fit centres and that after a period of five years a report will be submitted to the Local Government choosing certain centres in the Presidency as fit for the establishment of a university, is, I very respectfully submit, not fair to the mufassal colleges. I would earnestly appeal to the hon. the Minister that if he is really anxious that new Universities should be established and that the paragraph 3 of the preamble should be brought into force, he should accept this modest and reasonable amendment of my hon. Friend, Mr. Venkataratnam Nayudu, and he should not raise his official block and move this amendment out."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I give my hearty support to this amendment. There seems to be an impression that my hon. friend, Mr. Venkataratnam Nayudu, wants to delete the whole clause 51 and put in this amendment in its place. But that is really not correct. All that my hon. Friend wants is to have this amendment for the first portion of the clause 51 and to have the present clause 51, as its second part".

The hon. the PRESIDENT:—"I beg the hon. Member's pardon. The amendment moved by the hon. Member Mr. Venkataratnam Nayudu is this :

For clause 51 substitute the following :—

"The Senate shall within one year, etc."

Diwan Bahadur R. VENKATARATNAM NAYUDU:—"Sir, I am extremely sorry to have to confess that I made a serious blunder in putting the amendment that way. The heading of the amendment was supplied to me, and I wrote out the amendment. What I meant was that this amendment should be the first portion the clause 51: or it should become a separate clause and the present clause 51 should stand as clause 52, if necessary. I do not wish to take away the present clause 51 by my amendment. I only want to add something with reference to university centres."

The hon. the PRESIDENT:—"I am afraid that we can debate only on motions as worded and not upon the intentions of hon. Members."

Diwan Bahadur R. VENKATARATNAM NAYUDU:—"Sir, now that I have made my intention clear, may I not request you, Sir, and the House to accept that intention?"

The hon. the PRESIDENT:—"I fear the House can only vote upon motions and not upon intentions."

Diwan Bahadur R. VENKATARATNAM NAYUDU:—"I request the House to accept my intention as a motion."

The hon. the PRESIDENT:—"I do not think an intention could be converted into a motion like that. However, if it is found that this amendment which the hon. Member, Mr. Venkataratnam Nayudu, has already moved does not adequately convey what he intended to, the proper course would be for another hon. Member to move an amendment to this amendment so as to bring out the intention clearly."

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Clause 51—cont.

Mr. C. V. VENKATARAMANA AYYANGAR:—"If you, Sir, will kindly permit, I shall move an amendment to this amendment so as to bring out clearly the intention of my hon. friend, Mr. Venkataratnam Nayudu."

The hon. the PRESIDENT:—"As the hon. Member Mr. Venkataramana Ayyangar has already begun his speech, he cannot now move an amendment. The best course will be for the hon. Member to finish his speech so that some other hon. Member might move an amendment so as to bring out the intention of the hon. Member Mr. Venkataratnam Nayudu."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Well, Sir, all that I want to say is this. If clause 51 is left as it is, then I must say with due deference to the hon. Minister that his acceptance of the definition of 'University centre' becomes meaningless. If something is said about University centre then something should also be said as to when it would be constituted, how it should develop itself so as to become fit for a University and so on. My hon. friend, Dr. Macphail, said that it would take some three or four years for the initial work of the Senate to be over. That is exactly the reason why we should not defer the matter of declaring University centres till a period of five years. It may take three, four or even ten years for improving the local constituent colleges. We do not now want to make it obligatory on the Senate as the amendment of my hon. friend Mr. Arupudawami Udaiyar insisted to form University centres; but we want the attention of the Senate to be directed first to this question of the declaration of University centres. The mufassal colleges fear that the people who will be entrusted with the task of enquiring into the formation of University centres will be mostly people of the headquarters who profess to know much of the mufassal and to have the greatest sympathy for the mufassal colleges, but unfortunately whose so-called sympathy towards the affiliated colleges will be akin to that of a step-mother towards her step-children. That is my main point. The mufassal colleges fear that the majority of the people who will have a direct hand in the making of rules will be men of the metropolis and they will naturally care more for the constituent colleges of the city than for the affiliated colleges of the mufassal. Unless there is an obligation on them, they will not devote much of their attention to the mufassal colleges and if at all they devote some time to them it will be something like a step-mother showing consideration for her step-son. This amendment is moved simply to make it obligatory on the Senate to devote a little portion of their attention to see if they cannot fix some places as fit centres for the establishment of future Universities. If it is said that 365 days are not sufficient, then let them have 730 days. If there is no obligation at all to look into this matter, then I am afraid that the Senate may not even after five years go into the question as to whether there is any place in the mufassal that can be called a 'University centre'. And if it is not gone into, say within one or two years, it will be useless to expect them to go into it after five years. Further probably it will take another five years more for the Senate to make enquiries and submit its report to the Local Government. Again the hon. the Minister said that what is good to-day may become bad to-morrow. I am afraid that the same thing will apply even after five or ten years hence. If this analogy is extended to men also, then no appointment can be given to anybody; for a person who

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Clause 51—cont.

appears to be a good man to-day may turn out into a wicked man to-morrow. Is that a reason why we should not give an appointment to him to-day? In the same way, we cannot postpone the question of declaring certain centres to be 'University centres' in the unwarranted fear that centres which seem fit to-day might become unfit to-morrow.

3-45 p.m. "I am afraid that it is rather a very unfair criticism of the mufassal colleges. If they are good, we shall presume they will be good until they become University centres. It will be an insult to them to say that they will not continue to exhibit the same efficiency. There is no good of saying that they will become bad, that if they continue to be good they will be recognized as University centres and all that sort of a thing. There is no use of simply saying that mufassal colleges are very good. In spite of the very good certificate, it seems to us that we will not get anything till we are in a position to look after our own affairs. It will be better to omit the reference to University centres if the Government are going to object to this very reasonable amendment. I appeal to the other side to consider this very reasonable amendment of Diwan Bahadur R. Venkataratnam Nayudu."

Mr. S. SOMASUNDARAM PILLAI:—"The establishment of the Madras University as a residential and teaching University is itself a new attempt in this Presidency. In every case, a period is fixed. There is the law of majority by which the age of 18 is fixed for people to become fit for managing their own affairs. There is no use of saying that my son is able to manage at the age of 16. He may be an exception, but not the rule. Of course, we are anxious to ask for more, but those who are in a position to give will consider twice before they give. For instance, the Government of India Act have laid down 10 years as a period for a further instalment of Reforms, yet we are very anxious for more before the end of the third year. This clearly shows that those who are anxious to get more do not consider their own fitness. Those that are in a position to give, take fitness into consideration. After one year the Senate will not be in a position to understand what their requirements are and ascertain the necessary modifications that may be essential for converting a centre into a new teaching and residential University. Without knowing their own position, how is it possible for the University authorities to say anything about new centres? Of course as regards the mentioning of new centre, there is nothing new. We all know the centre of Andhra University, the Malabar University and the Tamil University. Let them all work for five years. At the end of five years the Senate will submit a report to the Government, and within that time to ask the University to name a centre is not reasonable. If they are fit, let them become fitter. With all due respect to the hon. Mr. Venkataratnam Nayudu, I think he is wrong in moving this amendment."

The Rev. Dr. E. M. MACPHAIL:—"I think we have been given an illustration to-day of the confusion that is caused by people moving amendments of which we have not got copies."

The hon. the PRESIDENT:—"In that case, it is open to any hon. Member to object to amendments being moved of which the required notice has not

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[The President]

Clause 51—cont.

been given. But when hon. Members allow amendments to go forward without copies of the same being supplied to them, I presume that they find it quite convenient."

The Rev. Dr. E. M. MACPHAIL:—"I did not like to object, Sir. At the same time, I would merely point out that there are inconveniences in amendments being brought forward without notice. Now we are told that because we accepted the proposal to have University centres, we must necessarily adopt the proposal of Mr. R. Venkataratnam Nayudu, namely, that '*the Senate shall within a year after the constitution of the University authorities*' name what localities ought to be the University centres—within a year, a brief limit. I can understand that this amendment removes some of the objections which I made in my previous speech, but still it does not remove the objections which I feel about the length of time which is being prescribed for the University to ascertain what places ought to be University centres. I am venturing to differ with the hon. the Minister in charge of Education in this matter. It seems to me that in this Bill we have made it certainly possible for any member to bring forward a proposal in the Senate that a particular locality should be recognized as a University centre long before five years have elapsed. It does not seem to me desirable to cut clause 51 altogether. It deals, we all see, with regard to the recognizing of the establishment of other Universities. The proposal of Mr. Venkataratnam Nayudu is a proposal for recognizing University centres. Now, as I understand it, there is absolutely nothing in the Bill to prevent members of the Council of Affiliated Colleges from bringing in a proposal either in the Academic Council or the Senate. There is nothing in the clause to prevent that endeavour from being made. I object not to the Government but to the Senate being hampered by stipulating that within a given time the Senate must make certain proposals. I do not think that, if proposals are made whereby a particular place should be recognized as a University centre when the time comes, there will be objections raised because five years have not elapsed. That, Sir, is my position, and consequently I am not disposed to accept Mr. Venkataratnam Nayudu's amendment."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I request permission to move an amendment to the amendment before the House. The motion before the House is:—

For clause 51, substitute the following:—

'The Senate shall within a year after the constitution of the several authorities of the University submit to the Local Government a report on the practicability of one or more University centres being established. The Local Government shall lay the report before the Legislative Council and shall take such action as it deem fit.'

"My proposal is to *omit* in the above amendment the words 'for clause 51 substitute the following' and *insert* the following words 'in clause 51 insert the following as 51 (a) and re-number the existing clause as 51 (b),

[Mr. A. S. Krishna Rao Pantulu] [5th February 1923]

Clause 51—cont.

“It is nobody’s intention, not even the intention of the hon. mover of the amendment, to drop this clause altogether. But it is the intention of every one of us and of this House that, in addition to clause 51 which reads :

The Senate shall at the end of five years.

there shall be inserted a provision at ‘at the end of five years’ calling upon the Senate to submit a report over the practicability of University centres being established. I need not allude to the reasons underlying the proposal because they have already been discussed at great length. The remarks of the hon. the Minister for Education have given rise to apprehensions as to the possibility of the formation of University centres being put off until after five years. It is stated that even the taking of steps has to lie over for such a long period as five years. Clause 51, as it stands, deals with the final stage of submitting a report for the establishment of Universities ; but the preliminaries and other work to be carried on in the interval must be commenced at an earlier date. It is for this reason that we submit that within the year of limitation steps should be taken for the formation of University centres.”

Rai Bahadur T. M. NARASIMHACHARLU :—“I second it.”

The hon. the PRESIDENT :—“I think we had better save time by going on with the discussion. I shall put both the original motion, and the amendment of Mr. Krishna Rao later on.”

MR. S. ARPUDASWAMI UDAYAR :—“I wish to make only one observation. I wish to draw the attention of the hon. Members to the words of the hon. the Minister for Education. The words uttered by the Minister are certainly well thought out and very weighty. The hon. the Minister has just now told us that some colleges which are very well equipped now may, after one or two years, become ill-equipped, and that other colleges that are ill-equipped now may become well-equipped after two years. This means in diplomatic language that the Minister has made up his mind as what should be the centres of future Universities. When it is remembered that the hon. the Minister for Education has behind him a large party, that this party is the party in power, and that this party will have a predominating influence in the Senate the inference is permissible that the party may be so directed as to discourage some institutions and render them ill-equipped and encourage others that they may become well-equipped and therefore fit to be recognized as University centres.”

The hon. Rao Bahadur A. P. PATRO :—“I must strongly protest against the expressions used by my hon. friend, Mr. Arpudaswami Udayar. I do not know if he has used them unintentionally. But if he thinks genuinely that the party in power is going to act unfairly, and on that account attributes motives of that sort, I should certainly protest against them. All that I have to say to him is that he has to stand on his own rights, and such remarks are absolutely unjustifiable. It surprises me that even my hon. friend, Mr. Arpudaswami Udayar, who is always so calm and collected, should have also been ruffled like this. Perhaps, his personal interest in the matter may have induced the attack upon us. But I presume that he will very well support his claim and the institution that he represents. . . .”

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Clause 51—cont.

Rao Bahadur C. V. S. NARASIMHA RAJU :—“ I rise to a point of order. I do not know if the hon. the Minister for Education is giving a personal explanation or making a speech; for, the other hon. Member has not yet finished his speech.”

The hon. Rao Bahadur A. P. PATRO :—“ I am afraid the hon. Member who has objected just now has not correctly followed the debate; and that is why he has brought this objection forward. The hon. Member, Mr. Arpudawamy Udayar, finished his speech and sat down and then only I got up to reply him.

“ I was submitting to the House that if he was only over-anxious in a matter like this, it was not at all justifiable. I have already told the House that in a matter, such as the formation of centres of University, we must give them a limit of time. Let all the colleges come into proper working order. I am sure there will be no objection for any member of the Senate to bring in a resolution before the Senate that particular localities may be recognized as early as possible as University centres. Under the Bill it is open to any Member of the Senate to bring forward such a resolution before it. What I do take exception to is that we should not hustle the Senate, that we should not fix a period and that we should not hurry the process. The process is bound to come and will come in spite of the attempt to limit the time as the motion before the House limits.”

Mr. C. RAMALINGA REDDI :—“ I am inclined to support the amendment of Mr. Venkataratnam Nayudu just for one reason and one
4 p.m. reason only. It has been contended both by Dr Macphail and the hon. the Minister for Education that in the Bill there is nothing to prevent a member from coming forward and suggesting any place he chooses as a University centre. It seems to me an important matter like this should not be left to this kind of hustling by private members, but should be taken up by the Senate on its own initiative as a matter for calm and impartial inquiry within a certain period and therefore the Senate should, through the university, do something to report to the Government. There is no difference of opinion between hon. Members on either side as regards the desirability of stimulating mufassal colleges for the purpose of making them fit for University centres. Having done that, there is no reason why we should postpone the selection of University centres for any indefinite period, or leave it to be engineered by private members. I think, therefore, that there should be some such provision under which the Senate shall, after a year, or whatever period you may fix, be bound to go into the whole question on its own motion and report to the Government.”

Diwan Bahadur R. VENKATARATNAM NAYUDU :—“ Sir, if it will in any way facilitate matters, I shall say that I accept the amendment of Mr. Krishna Rao Pantulu.”

The hon. the PRESIDENT :—“ Before I put the motions the House must understand exactly where they are. Let me say at once that the original

[The President]

[5th February 1923]

Clause 51—cont.

motion which was tabled by Mr. Venkataratnam Nayudu was:

For clause 51 substitute the following:—

‘The Senate shall within a year after the constitution of the several authorities of the university, submit to the Local Government a report on the practicability of one or more University centres being established. The Local Government shall lay the report before the Legislative Council and shall take such action as it deems fit.’

So, if Mr. Venkataratnam Nayudu’s motion is passed, the whole of the existing clause 51 will disappear; that is to say, there will be nothing whatever about the establishment of other universities. Only, in lieu of that clause you will have this thing about Universities centres.

“Later on however Mr. Venkataratnam Nayudu told us that he had made a mistake and that what he meant was to put what he has now drafted as the first portion of clause 51 and that the existing clause 51 should come after that. Then I told him that whatever his intention might have been, we could not give effect to it unless somebody moved a formal motion to give effect to it. In accordance with that, Mr. A. S. Krishna Rao has moved this amendment, which is an amendment not to clause 51 but to Mr. Venkataratnam Nayudu’s motion to amend clause 51. Now this motion is:

‘In the amendment *omit* the words ‘*For clause 51 substitute the following*’ and *insert* the following words:

‘In clause 51 *insert* the following as 51 (a) and renumber the existing clause as 51 (b).’

“The amendment moved by Mr. Krishna Rao is simply intended to give effect to Mr. Venkataratnam Nayudu’s motion. Hon. Members by voting for this amendment will not commit themselves to anything, but only they will put Mr. Venkataratnam Nayudu’s motion in the form in which he intended it to be put. When that is done, hon. Members will be in a position to deal on the merits with the whole question. I suppose I have made it as clear as I can without actually advising hon. Members to accept the amendment.” (Laughter.)

The motion of Mr. A. S. Krishna Rao to amend the amendment of Mr. Venkataratnam Nayudu was then put and accepted.

Mr. Venkataratnam Nayudu’s amendment, as amended, was then put and declared lost. A poll was taken on the motion of Mr. Venkataratnam Nayudu and the House divided as follows:—

Ayes.

- | | |
|--|---|
| 1. Mr. C. Ramalinga Reddi. | 9. Rai Bahadur T. M. Narasimhaacharlu. |
| 2. „ B. Muniswami Nayudu. | 10. Mr. M. R. Seturatnam Ayyar. |
| 3. „ P. Subbarayan. | 11. „ M. Suryanarayana. |
| 4. Diwan Bahadur M. Ramachandra Rao Pantulu. | 12. „ S. Arpudaswami Udayar. |
| 5. Rao Bahadur A. S. Krishna Rao Pantulu. | 13. „ T. Arumainatha Pillai. |
| 6. „ C. V. S. Narasimha Raju. | 14. Rai Sahib E. C. M. Mascarenhas. |
| 7. Mr. C. V. Venkataratnam Ayyangar. | 15. Saiyid Muhammad Padsha Sahib Bahadur. |
| 8. Diwan Bahadur R. Venkataratnam Nayudu. | 16. Rao Bahadur T. Namberamal Chettiyar. |

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Clause 51—cont.

Noes.

- | | |
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| 1. The hon. Sir Charles Todhunter. | 20. Rao Bahadur T. N. Sivagnanam Pillai. |
| 2. „ Khan Bahadur Sir Muhammad Habib-ul-lah Sahib Bahadur. | 21. „ O. Tanikachala Chettiyar. |
| 3. „ the Raja of Panagal. | 22. Mr. W. Vijayaraghava Mudaliyar. |
| 4. „ Rai Bahadur K. Venkatarreddi Nayudu. | 23. „ W. P. A. Saundarapandiya Nadar. |
| 5. „ Rao Bahadur A. P. Patro. | 24. „ S. Somasundaram Pillai. |
| 6. Mr. C. P. Ramaswami Ayyar. | 25. „ A. Subbarayudu. |
| 7. Rev. Dr. E. M. Macphail. | 26. „ S. Muttumanikkachari. |
| 8. Mr. R. G. Grieve. | 27. Rev. W. Meston. |
| 9. Rao Bahadur K. Ramunni Menon. | 28. Mr. A. T. Palmer. |
| 10. Mr. E. F. Thomas. | 29. „ M. Ratnaswami. |
| 11. „ E. Periyarayagam. | 30. The Raja of Ramnad. |
| 12. „ A. Ramaswami Mudaliyar. | 31. Mr. K. Prabhakaran Tampan. |
| 13. „ K. Adinarayana Reddi. | 32. A. D. M. Bayotti Sahib Bahadur. |
| 14. „ S. R. Y. Ankinedu Prasad. | 33. Khan Sahib Munshi Muhammad Abdur Rahman Sahib. |
| 15. „ K. Appaswami Nayudu. | 34. Saiyid Diwan Abdul Razaak Sahib. |
| 16. Rao Bahadur V. Appaswami Vandyar. | 35. Khan Bahadur Muhammad Sadullah Badsha Sahib Bahadur. |
| 17. „ P. C. Ethirajulu Nayudu. | 36. Khan Bahadur Muhammad Usman Sahib Bahadur. |
| 18. Sir P. Tyagaraya Chettiyar. | |
| 19. Rao Bahadur T. Balaji Rao Nayudu. | |

The following amendments were not then moved :—

Rai Bahadur T. M. NARASIMHACHARLU :—

238. *For this clause substitute the following :—*

‘ 51. The Senate shall, before the expiry of three years from its constitution under this Act, submit to the Local Government a report on the condition of Affiliated Colleges and a recommendation for establishing other Universities outside the limits of the University. The Local Government shall lay the report and recommendation before the Legislative Council and shall take such action as is necessary to carry out the recommendation, as far as possible ’.

Mr. B. MUNISWAMI NAYUDU :—

238-A. *For the words ‘ shall at the end of ’ substitute ‘ shall at or before the end of ’.*

Rai Sahib E. C. M. MASCARENHAS :—

238-B. *For the words ‘ at the end of five years ’ substitute the words ‘ not later than five years ’.*

Rao Bahadur A. S. KRISHNA RAO PANTULU :—

239. *For the words ‘ at the end of ’ substitute ‘ within ’.*

Diwan Bahadur R. VENKATARATNAM NAYUDU :—“ Mr. President, I beg leave to move the amendment of which I have given notice, viz :

240. *Insert the word ‘ every ’ before ‘ five years ’.*

“ My sole reason, Sir, for moving this amendment is this : however temporary the affiliating functions of the University may be, yet these functions are not going to terminate within a single period of five years. They will be in operation far longer and I therefore think that it is desirable that at the end of every five years there should be a stock-taking of the whole situation and a recommendation as to the existing possibilities of further developments. Therefore it is that I move this, Sir.”

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Clause 51—cont.

Mr. C. V. VENKATARAMANA AYYANGAR seconded the amendment, and the hon. Rao Bahadur A. P. PATRO accepting it, the motion was put and carried.

The following amendments were not then moved :—

Khan Sahib A. P. I. SAIYID IBRAHIM RAVUTTAR :—

241. *For the words ' five years ' substitute the words ' three years '.*

Rao Sahib U. RAMA RAO :—

242. *For the words ' five years ' substitute the words ' one year '.*

Rao Bahadur A. S. KRISHNA RAO PANTULU :—

243. *For the words ' establishing other ' substitute the words ' instituting new '.*

Diwan Bahadur R. VENKATARATNAM NAYUDU :—" Mr. President, I beg leave to move the following amendment of which I have given notice :—

244. *For the words ' before the Legislative Council and ' substitute ' before the Legislative Council which '.*

" The amendment, Sir, is really a substitution of the word ' which ' for the word ' and ', and the reason is this : the action to be taken should not rest wholly with the Local Government, but should also devolve on the Legislative Council. It is the Legislative Council that should take action upon this and not the Local Government. The Local Government which has to lay that report before the Legislative Council may make its own observations and suggestions, but the ultimate action should, in my judgment, rest with the Legislative Council, because, after all, it is that body that is the ultimate authority on the subject."

Mr. C. V. VENKATARAMANA AYYANGAR seconded the amendment.

The hon. Rao Bahadur A. P. PATRO :—" Sir, I do not think the proposed amendment is necessary, because when the report is laid on the table of this House, it is open to any member of the Legislative Council to move a resolution on that report making a recommendation to the Government."

Diwan Bahadur R. VENKATARATNAM NAYUDU :—" Sir, the objection, so far as I have understood it, is this : it is open to the Legislative Council or to any member of the Council to take action. Well, Sir, it may construe the other way also ; it is open to the Legislative Council even to keep quiet. Therefore, my suggestion is that such action as it thinks fit should be taken. I am not very particular about it, Sir. I only thought that it would make the matter more obligatory on the part of the Council. But if the Minister is opposed to it, I shall drop it."

The motion was by leave withdrawn.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" I beg
4-15 p.m. to move—

245. *Add the following exception :—*

' The above provision shall not apply to any scheme now in progress for the institution of new Universities like that relating to the Andhra University.'

5th February 1923] [Mr. A. S. Krishna Rao Pantulu]

Clause 51--cont.

"The discussion we have had on other amendments dealing with this clause must have made it clear that unless a provision like this is inserted, the question of taking up the formation of other universities may be deferred for a long period of five years as contemplated in this clause. I think I will be in order if I refer the House to the fact that the question of the Andhra University had been before the Legislative Council even before the draft of the Madras University Bill was prepared and introduced in this House. It will be remembered that even in the previous Councils this question was agitated, and even setting aside the question of previous history for the present, a motion was made in this reconstituted Council regarding the question of the Andhra University and a committee was appointed by the Government. The committee completed its report and duly submitted it to the Government formulating a scheme for the establishment of the university and stating ways and means for carrying it out. After the submission of the report it was expected that immediate action would be taken. But some incidents which have taken place would show that the Government have treated this question of the Andhra University alongside with and simultaneously with the new Madras University Bill. Shortly after the introduction of the present Bill in this Council in November last, the hon. the Minister for Education convened a conference at Vizagapatam for the purpose of settling some details relating to the Andhra University. It will be seen that the question of the Andhra University was taken up separately and independently of other proposals which we have been considering in the course of these discussions. The reason for convening that conference was that certain questions arose for consideration after the receipt of the report of the Andhra University Committee and it was thought that it would facilitate the disposal of the question if a conference of the leading representatives of the Andhra districts was convened. The conference, Sir, was convened and it was opened by His Excellency Lord Willingdon, and I may remind the House that he himself stated distinctly the claims for the establishment of the Andhra University at an early date and then the conference commenced to have its sittings for the consideration of the question. The claim for the establishment of an Andhra University was finally agreed and decided upon. Resolutions were passed determining the type of the university to be established in the Andhra districts. There was some difference of opinion regarding the location of the university, and though it would have been possible to come to an understanding at the conference, it was felt that owing to the absence of the representatives of the Ceded districts it would be more convenient to have the discussion at a future date with the full say of the representatives of the three districts. It was in deference to that view that it was resolved that the settlement of that question should be postponed. I mention this fact to show that the question of the establishment of the Andhra University has reached a certain stage which should be better recognized. If this clause is allowed to pass without this exception, notwithstanding the attempts made in this Council for the last five years, notwithstanding the fact that Government themselves have taken steps to obtain opinions, notwithstanding the fact that a solemn conference was convened by His Excellency who himself has declared in favour of the Andhra

[Mr. A. S. Krishna Rao Pantulu] [5th February 1923]

Clause 51—cont.

University, it might be possible for the university not to take up the question of the Andhra University. It is in this view that I have introduced the amendment in the House, which, I hope, will accept it. The clause says that after five years the Senate should submit a report as to the desirability or otherwise of establishing other universities. I would submit that it ought not to be made applicable so far as this scheme is concerned. For these reasons, I move this clause."

Rao Sahib U. RAMA RAO seconded the amendment.

The hon. Rao Bahadur A. P. PATRO:—"I think the statement of the case as made by Mr. Krishna Rao is quite correct. The case of the Andhra University has advanced further than that of the other universities. But at the same time Government have to consider the case as a whole, and it seems to me that to bring a single instance like this and say that the clause should not affect the formation of the Andhra University is not at all desirable from the legislative point of view. What I would say is that questions so far advanced as this will not be affected by such a provision as this. Clause 51 does not at all prohibit such questions being taken up earlier than others. After all, it rests with the Legislative Council when it comes to the voting of grants. Whether it is the Andhra University or any other university, it is all a question of finance. It is entirely in the hands of the Legislative Council to find money either to-day or on some other day. Therefore, such a question is altogether outside the province of this enactment. I am sure hon. Members will agree that to introduce such a thing is not desirable."

Mr. C. RAMALINGA REDDI:—"May I ask the Minister for Education whether it is proposed to allot any money in furtherance of this scheme of the Andhra University?"

The hon. Rao Bahadur A. P. PATRO:—"I am afraid, Sir, I cannot consider that question so definitely as the hon. Member wants it. The proceedings of the Finance Committee are laid before the House. The question was pressed and placed before the Finance Committee whose proceedings are before the House."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I should like to know from the hon. Member whether it contains any reference to the allotment of funds."

Mr. A. RAMASWAMI MUDALIYAR:—"It does contain a reference. The hon. Member has not seen the report."

Rev. Dr. E. M. MACPHAIL:—"I rise to a point of order as to whether this discussion is relevant."

The hon. the PRESIDENT:—"I myself am not able to understand the discussion. We will know a little later where we stand."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"My hon. friend, Dr. Macphail, has asked about the relevancy of this discussion. I may perhaps say a few words as to how it is relevant. Clause 51 states that the authority to decide the desirability or otherwise of the establishment of other universities outside this university is to be the Senate and that it

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Clause 51—cont.

should send its report within five years. Now, attempts have been made in this Council to reduce this period, and every attempt has been resisted, so that the very suggestions made by Dr. Macphail clearly show that this consideration of the desirability or otherwise of establishing other universities is a matter in which the Senate may not make up its mind so soon. What we are anxious to suggest to him is that there is a scheme which has advanced very far. The Government appointed a committee after a resolution of the Senate for the formation of the Andhra University and that report is before the Government and has been before the Government for a very long time. It is quite conceivable that if this clause stands as it is, the hon. Member may say that unless the Senate also goes into this scheme which has advanced very far, the question of the desirability or otherwise of establishing other universities may not be considered by this Council. This is just to make some provision for the exception in favour of a scheme which has gone too far. So far as the money is concerned, I understand him to say that there is nothing in this clause to preclude the consideration of the Andhra University scheme and also to preclude the Government from taking such action as they like for the establishment of another university. I perfectly agree with him there."

The hon. Rao Bahadur A. P. PATRO:—"There is a report of the committee which has to be considered by the Government."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I know that. I am perfectly aware that the report has been in the hands of my hon. friend for the past ten months. What we are anxious is that we should not be told that this clause will stand in our way, and that we shall not be precluded by this clause from considering that scheme. If there is nothing in this clause to preclude consideration, I do not see why he should object to the exception being made quite clearly. This amendment is simply to elicit information and make it quite clear."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, the hon. the Minister has been in a position to assure us that the presence of this clause does not preclude the consideration of the proposal for the establishment of other universities. I only wish to state, Sir, that we expected from the keenness and the enthusiasm with which the conference was convened in November that another Bill would be in progress. But we are disappointed. It is reasonable that time should be given to the Government to introduce another Bill. Therefore, I do not press my amendment."

The amendment was by leave withdrawn.

Clause 51 as amended was put to the House and carried and added to the Bill.

New clause after clause 51.

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I beg
4-30 p.m. to move—

246. *Insert the following as clause 52:—*

"52. But the Senate may, on the recommendation of the Council of Affiliated Colleges and subject to the approval of the Chancellor, create an affiliated college fund and make rules as to additions to or expenses from it and as to its management by the Council of Affiliated Colleges."

[5th February 1923]

New clause after clause 51—cont.

Mr. A. RAMASWAMI MUDALIYAR :—"Inasmuch as this very question has already been discussed in connexion with a previous amendment, can the hon. Member move this amendment, Sir?"

Mr. C. V. VENKATARAMANA AYYANGAR :—"The previous amendment was withdrawn as the hon. Mr. Patro assured us—or at any rate we understood so—that he would accept this amendment. My friend Mr. Ramaswami Mudaliyar is forgetting the past history."

Mr. A. RAMASWAMI MUDALIYAR :—"I am sorry I was not present at that time."

Mr. C. V. VENKATARAMANA AYYANGAR :—"The original proposition insisted on funds being provided at once. This amendment contains a number of qualifications or conditions to be fulfilled before the funds are provided, i.e., 'on the recommendation of the Council of Affiliated Colleges and subject to the approval of the Chancellor' and so on. The Senate is not bound to create such a fund at once without reference to anybody. Even though only the Chancellor is mentioned, he will have to take the advice of the Pro-Chancellor, i.e., the Minister for Education. As I said, the previous amendment was withdrawn on the understanding that this amendment would be accepted. I, therefore, appeal to the hon. the Minister to accept this."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Sir, I beg to second this amendment and I only say this, that I am rather surprised that so careful a man as my hon. friend Mr. Ramaswami Mudaliyar should have forgotten that the previous amendment was withdrawn on the assurance that this would be accepted."

The hon. the PRESIDENT :—"The hon. Member, Mr. Ramaswami Mudaliyar, has told us that he was absent at that time."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I am not charging him at all with not following the proceedings of the Council. I am only referring to this matter to tell him that at times we have also our own shortcomings. My hon. friend has said that I have not read the proceedings of the Finance Committee in connexion with the Andhra University. I was not at all aware that those proceedings referred to that matter."

Mr. A. RAMASWAMI MUDALIYAR :—"I have never claimed perfection, Sir, much less the perfection of any one else."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I am glad to hear the assurance that nobody in this House claims perfection. Having said this much, I have nothing more to say on the amendment." (Laughter.)

The hon. Rao Bahadur A. P. PATRO :—"As regards the amendment, we have to look carefully into the wording. I think the wording has to be changed. I do not oppose the sense underlying the amendment."

Mr. C. V. VENKATARAMANA AYYANGAR :—"We never fight for words. I am prepared to accept any change that may be made in the wording."

The hon. the PRESIDENT :—"I go only according to the agenda, putting motions to the vote as they are framed and that itself involves at times some difficulty. If, in addition, I have to put to vote the sense underlying the

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[The President]

New clause after clause 51—cont.

motions, I venture to submit that it will be an impossible task for any President to do. Probably we can give five minutes' time so that the hon. the Advocate-General may make the necessary change."

Mr. M. RATNASWAMI :—" May I know, Sir, what the force of ' But ' is with which the amendment begins ? "

Mr. C. V. VENKATARAMANA AYYANGAR :—" I agree to omit the word ' But '."

Mr. C. P. RAMASWAMI AYYAR :—" May I suggest for the consideration of the House *that in this amendment the word ' But ' may be omitted and the words ' its management ' be substituted for the words ' additions to or expenses from it and as to its management by the Council of Affiliated Colleges ' at the end. I beg to move this amendment.*"

The hon. Rao Bahadur A. P. PATRO :—" I second it."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I accept it."

The amendment of Mr. C. P. Ramaswami Ayyar was put and carried.

The amendment of Mr. Venkataramana Ayyangar, No. 246, as amended, was put and carried, and this new clause was added to the Bill.

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Sir, I beg to move—

247. *Add the following after clause 51 :—*

' Transitory Provisions.'

' 52 (a) The Local Government shall until such time as the university ceases to affiliate to itself colleges outside the limits of the university appoint a committee—

(1) to enquire from time to time into the financial needs of university education in the Madras Presidency, and

(2) to advise the Government as to the application of the grants, if any, that may be made every year by the Legislative Council towards meeting them.

(b) The committee shall consist of the following persons :—

Two persons elected by the Principals of Constituent Colleges.
Two members of the Syndicate appointed among their own body.

Three members of the Council of Affiliated Colleges elected for their own body.

Three persons appointed by the Local Government.

(c) The members of the committee shall be appointed and elected in the manner prescribed and shall hold office for such period as may be decided by the Local Government. The committee shall submit its report every year within the period prescribed by the Local Government.

[Mr. M. Ramachandra Rao Pantulu] [5th February 1923]

New clause after clause 51—cont.

- (d) All grants for university education made by the Legislative Council over and above the grants in the financial year prior to the coming into force of this Act, shall not be allocated by the Local Government between the university, the constituent colleges and the affiliated colleges except after the considerations of the recommendations of the committee.

“Sir, I think that the course of the debate of the last five or six days has indicated that there is considerable apprehension about the distribution of grants among the various educational authorities who are connected with the university education. We have the constituent colleges in the city of Madras; we have also a large number of affiliated institutions outside the city of Madras, and we have the Government colleges which are financed by the Government. In addition to these three sets, the university is now empowered to establish constituent colleges, to extend its sphere of activity in various directions, to extend its usefulness by directly undertaking teaching and research work. Thus, there are four agencies now and the question for consideration is, if we have a certain amount of money available for university expansion, how it is to be distributed so as to produce some amount of satisfaction to all the parties concerned and so as not to benefit one at the expense of the other three. That is the essence of the proposal I make, and I wish also to bring to the notice of hon. Members that this is exactly the proposal made by the Sadler Commission. When this question was under their investigation, the mufassal colleges of Bengal also complained that they were not getting enough of State funds to carry on their work. In view of these difficulties, the Sadler Commission made the following suggestions. At page 308 (volume IV, Part II) they say :

There is one aspect in which, for the sake of Government, a certain restriction ought to be placed upon the freedom of action of the college. Several of the colleges already receive grants-in-aid from Government; others may be anxious to do so in order that they may be enabled to meet the new demands which we have outlined; and at the same time the university is sure to put forward large demands, specially for assistance in the development of technological education. It is important that all these demands should be laid before Government at the same time, and in a co-ordinated form; important also that they should be considered alongside of the parallel demands for assistance that will come from mufassal centres and from the women's colleges. We, therefore, recommend that all requests for additional aid from Government, and all statements in support thereof, which are put forward by any college, should in general be forwarded through the Executive Council of the University,

which in that case is the Syndicate,

which should be bound to submit them to Government without undue delay, at the same time as any requests on behalf of the university itself; but should be entitled to append to them any comments which might seem to it appropriate. Small urgent applications might go direct to avoid undue delay; but every such application should be reported to the Executive Council when made.

Again, at page 354, in summing up this part of their case they say :

It is in our judgment important that the financial needs of higher education in Bengal should be considered as a whole. With a view to this it seems to us that Government may find it desirable to require that all requests for additional financial assistance should be laid before it at the same time, and should be accompanied by the comments and recommendations of a body capable of taking into consideration the needs of the whole province, and of weighing the relative importance of various demands. For this reason we have already recommended that all requests for financial aid from Government made by Calcutta colleges should be forwarded through the Executive Council, which should be required to transmit them with any comments it

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New clause after clause 51—cont.

thought fit. The same provision ought to be made in regard to the mufassal colleges. As in the case of Calcutta, we believe that Government will find it desirable that requests from Government colleges should in general be dealt with in the same way. But, apart from this, the colleges should enjoy complete financial autonomy and responsibility.

“Sir, these were the views of the Sadler Commission and I submit with great respect that after the organization of the university, when the constituent colleges in Madras, the mufassal colleges, the Government colleges and colleges of the university itself put forward their demands, there should be some agency to attend to all these requests seeing that the amount that can be spared is limited and to see to it that all these bodies are dealt with by an impartial body. Sir, hon. Members will see that this aspect of the case has been dealt with very fully both by myself and my hon. friend, Mr. C. V. S. Narasimha Raju, and also my hon. friend, Mr. R. Venkataratnam Nayudu, in our minutes of dissent to the Select Committee's report on the Bill, and I will not, therefore, further take up the time of the Council in reading portions of those minutes. We are all convinced that whatever funds are available, unless there is a machinery for distributing them in such a way as to afford justice to all parties, the bodies in Madras, the constituent colleges, etc., may have much more than is their due. I do not want to bring again this vexed question of mufassal colleges and city colleges—whether they were fairly treated in the past or not. But it seems to me that at present when we are having a scheme for the reorganization of the university, my hon. friend, the Minister, cannot do better than to allay the fear which the mufassal institutions have expressed that they may not get their legitimate share of the State funds, by providing for the machinery which I propose. As I have already stated this morning, we have a machinery in England—the Parliamentary Grants Committee—in regard to the institutions in Great Britain, and I suggest that a parallel machinery may be appointed here, so that everybody concerned will have the satisfaction of having these funds distributed, as far as possible, so as to meet the needs of everybody. We know that the purse of the Government is not unlimited. I suppose that my hon. friend, the Minister, has got only ten lakhs at present at his disposal and these have to be spread over all the four agencies. My amendment suggests the appointment of a committee to make recommendations to the Government, and if the Government is wise, it will listen to these recommendations. The committee represents the affiliated colleges, the constituent colleges, etc., and the Government themselves can nominate some, and, after all, only a recommendation is made. I think the Parliamentary Grants Committee consists of educationists and non-educationists. I want some such system to be adopted by this university in our Presidency. I therefore beg to move this amendment.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“I second it.”

The hon. Rao Bahadur A. P. PATRO :—“I am afraid this is adding one more trouble to the university organization. One of the

4-45 p.m. criticisms levelled against this Bill was that there were too many bodies already created for the purpose of carrying out the work and the safeguards and powers which the hon. mover wants are already provided for in the powers given to the Council of Affiliated Colleges. The Council of Affiliated Colleges is represented on the Syndicate and it can make recommendations to that body in the matter of distribution of any money that

[Mr. A. P. Patro]

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New clause after clause 51—cont.

might be available with the university. Therefore, there is absolutely no ground for apprehension that the interests of the mufassal colleges will be jeopardized unless a special body is brought into existence. My hon. friend wants to have representatives from those very bodies and to give them power in the matter of nomination. You have got other bodies in existence to safeguard the interests of the mufassal colleges. I am therefore unable to accept the amendment that is proposed."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Sir, I have nothing except to say that a co-ordinating body as is proposed in this amendment is necessary if only to consider the several requests that may be made by the different bodies : the affiliated colleges, the constituent colleges and the university."

The motion was put to the House and lost.

The following amendment was not moved and was therefore deemed to have been withdrawn :—

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—

248. *Insert the following as clause 53 :—*

'53 (1) After the commencement of this Act, the Senate shall appoint a commission to inspect the affiliated colleges and report to the Senate which of such colleges should be recognized as maintaining standards in teaching, equipment and general efficiency equal to the constituent colleges in the university and to frame regulations for the recognition from time to time of such colleges as potential university centres.

(2) Such affiliated colleges as in the opinion of the Senate maintain the standards equal to those of the constituent colleges of the university shall be styled "University Colleges" and shall thereafter be entitled to all the privileges of the constituent colleges in the university till they are transferred to other universities.'

Clause 52 was put to the House and passed and added to the Bill.

The following amendments were not moved and were therefore deemed to have been withdrawn :—

Schedule I.

Statute II.

Mr. C. V. VENKATARAMANA AYYANGAR :—

249. *In item (e) after the word 'constituent' insert the words 'or affiliated'.*

Statute III.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—

250. *Omit this statute and re-number the subsequent ones.*

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Schedule I—cont.

New Statute after Statute III.

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—

250-A (i) *Insert the following as Statute IV :—*

IV (1) There shall be an Executive Committee of the Council of Affiliated Colleges which shall consist of—

(i) the Vice-Chancellor, and (ii) ten persons elected in the prescribed manner by the Council from its own body.

(2) The Vice-Chancellor shall be the Chairman of the Executive Committee which shall appoint its own Vice-Chairman in the prescribed manner.

(3) The members elected under head (ii) of sub-clause (1) shall hold office for three years or for so long only as they continue to be members of that body.

(ii) *Re-number the subsequent statutes.*

Mr. A. RAMASWAMI MUDALIYAR :—“ Sir, this particular statute (Statute IV) having been transposed, I beg leave to bring in a consequential amendment. It runs as follows :—‘ In lieu of Statute IV, substitute the following :—

‘ Twenty members of the Council of Affiliated Colleges shall form a quorum for a meeting of the Council.’

Mr. C. P. RAMASWAMI AYYAR (Advocate-General) :—“ I second the motion and in doing so I desire to point out that by what was accepted by the House, Statute IV is now incorporated in the body of the Bill, but the quorum for Affiliated Colleges is however put in the first Statutes, and therefore this amendment has become necessary.”

The amendment was put to the House and passed and the substitution was made.

The following amendments under Statute IV therefore fell through :—

Nos. 251 to 255 and 256.

Statute IV.

Paragraph (1).

Mr. C. V. VENKATARAMANA AYYANGAR :—

251. *Omit item (iii)—*

or if this is not carried, after the word ‘ Board ’ insert the words ‘ the District Educational Council ’.

Mr. C. V. VENKATARAMANA AYYANGAR :—

252. *In item (v) for the word ‘ ten ’ substitute ‘ five ’.*

Rao Bahadur A. S. KRISHNA RAO PANTULU :—

253. *In item (v) for the word ‘ ten ’ substitute ‘ five ’.*

Mr. C. V. VENKATARAMANA AYYANGAR :—

254. *In item (vi) for the word ‘ ten ’ substitute ‘ five ’.*

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Schedule I—cont.

Mr. C. P. RAMASWAMI AYYAR :—

254-A. *Add at the end the following :—*

‘Provided that the first Council of Affiliated Colleges shall be deemed to have been duly constituted notwithstanding any non-compliance with sub-clause (vi) above;

Provided also that on the Academic Council being duly constituted under the Act it shall forthwith be entitled to appoint ten teachers of the University to the Council of Affiliated Colleges’.

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—

255. *Omit this Statute.*

New Statutes after Statute IV.

Rao Bahadur C. V. S. NARASIMHA RAJU :—

256. (i) *Insert the following after Statute IV :—*

‘V. (1) There shall be an Executive Committee of the Council of Affiliated Colleges which shall consist of—

(i) the Vice-Chancellor; and

(ii) fifteen persons to be appointed by the Council from its own body.

(2) The Vice-Chancellor shall be the Chairman of the Executive Committee which shall appoint its own Vice-Chairman.

(3) Members appointed under head (ii) of sub-clause (1) shall hold office for three years or for so long only within the said period as they continue to be members of that body.

VI. The Executive Committee shall, subject to the general control of the Council of Affiliated Colleges, have the following powers :—

(a) with the previous sanction of the Senate, it shall, subject to the Act, the Statutes and Ordinances, conduct all examinations for students of the affiliated colleges, and for this purpose shall recommend examiners to the Academic Council;

(b) it shall report to the Syndicate upon all applications for grants from Government in aid of any affiliated college;

(c) with the previous sanction of the Senate, it shall administer the funds of the Council of Affiliated Colleges, including the receipts from examination fees, and grants from any source, which shall be kept separate from the general funds of the University and it shall lay before the Syndicate for its approval annual estimates of receipts and expenditure;

(d) it shall submit proposals to the Council of Affiliated Colleges—

(i) for supplementing the teaching provided by these colleges, and

(ii) for accepting endowments by the council for such purposes.

(ii) *Re-number the subsequent Statutes.*

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Schedule I—cont.

The following amendments were not moved, and were therefore deemed to have been withdrawn :—

Statute V.

Mr. C. V. VENKATARAMANA AYYANGAR :—

257. *In paragraph (a) after the word 'constituent' insert the words 'or affiliated'.*

Rai Bahadur T. M. NARASIMHACHARLU :—

258. *In paragraph (a) omit the words 'and approved of by'.*

Mr. C. V. VENKATARAMANA AYYANGAR :—

259. *In paragraph (b) after the word 'constituent' insert the words 'or affiliated'.*

Mr. C. V. VENKATARAMANA AYYANGAR :—

260. *In paragraph (c) after the word 'constituent' insert the words 'or affiliated'.*

Mr. B. MUNISWAMI NAYUDU :—

260-A. *For the words 'of seven years' standing' substitute 'of five years' standing'.*

Statute IX.

Mr. C. V. VENKATARAMANA AYYANGAR :—

261. *For the words 'of seven years' standing or upwards' substitute the words 'of not less than five years' standing'.*

Khan Sahib A. P. I. SAIYID IBRAHIM RAVUTTAR :—

262. *For the word 'seven' substitute the word 'five'.*

Rai Bahadur T. M. NARASIMHACHARLU :—

263. *For the word 'seven' substitute the word 'five'.*

Rao Bahadur A. S. KRISHNA RAO PANTULU :—

264. *For the word 'seven' substitute the word 'five'.*

Mr. R. SRINIVASA AYYANGAR :—

265. *Add at the end the following :—*

'provided that the graduates registered for life under Act VIII of 1904 shall be deemed to have been duly registered under this Act.'

Rao Sahib U. RAMA RAO :—

266. *Add at the end the following :—*

'but graduates who have already registered themselves for lives under the provisions of the Indian Universities Act of 1904, shall be entitled to have their names enrolled in the register of registered graduates and enjoy all the privileges of registration without the payment of any further fees.'

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*Schedule I—cont.**Statute IX—cont.*

Schedule I as amended was put to the House and passed and added to the Bill.

Schedule II was put to the House and passed and added to the Bill.

Some verbal amendments.

The hon. the PRESIDENT :—“ The hon. the Advocate-General has given notice of a few verbal amendments. It will mean that clauses 14, 17, 23 and 26 will have to be reopened. If the House gives him permission he will proceed.”

The permission was given to move the verbal amendments.

MR. C. P. RAMASWAMI AYYAR (Advocate-General) :—“ Sir, in clause 14 as passed, under class III, we have the words

One member to represent each of the chief vernacular languages in the Presidency to be chosen either by nomination or election

“ The verbal amendment I propose is, *instead of the words ‘ to be ’ substitute the words ‘ such member being ’*.”

MR. A. RAMASWAMI MUDALIYAR seconded the motion.

The amendment was put and carried and the change was made.

MR. C. P. RAMASWAMI AYYAR (Advocate-General) :—“ In clause 17, sub-clause (2), we have

35 members of the Senate shall be the quorum for the meeting of the Senate
I propose ‘ for a meeting ’ instead of ‘ for the meeting ’.”

MR. A. RAMASWAMI MUDALIYAR seconded.

The amendment was put and passed.

MR. C. P. RAMASWAMI AYYAR (Advocate-General) :—“ In clause 23, sub-clause (1), in item (4), we have

One member of the teaching staff of each of the first-grade affiliated colleges...

I want the words ‘ and professional ’ to be inserted after the words ‘ first-grade ’. The reason is, as it is, this will preclude the representation of professional colleges like the College at Coimbatore. So, I want the words ‘ and professional ’ to be added.”

MR. A. RAMASWAMI MUDALIYAR seconded the motion.

The amendment was put and passed.

MR. C. P. RAMASWAMI AYYAR (Advocate-General) :—“ The last of the amendments standing in my name is with regard to clause 26. Owing to the transposition of statute IV in the body of the Bill, the amendment of which I have given notice falls to the ground and therefore it becomes necessary to put it in the body of the Bill. My amendment is as follows :—

Provided that the first Council of Affiliated Colleges shall be deemed to have been duly constituted notwithstanding any non-compliance with sub-section (vi) above ;

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Some verbal amendments—cont.

Provided also that on the Academic Council being duly constituted under the Act it shall forthwith be entitled to appoint ten teachers of the University to the Council of Affiliated Colleges.

This is necessary only to avoid deadlocks in the beginning."

Mr. A. RAMASWAMI MUDALIYAR seconded.

The amendment was put and carried.

Mr. C. V. VENKATARAMANA AYYANGAR :—" If you will excuse me, Sir, I have to say a few words. It was agreed that the phrase 'University students' was to include students of affiliated colleges. I thought the hon. the Advocate-General would remember it."

Mr. C. P. RAMASWAMI AYYAR (Advocate-General) :—" I may mention that the undertaking given was that if it was necessary to incorporate it anywhere it would be done. We have tried to look into the matter and, so far as I can see, there is no necessity for it."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I withdrew my amendment only on that understanding. What I say is the term 'University students' shall include 'students of affiliated colleges.'"

The hon. the PRESIDENT :—" You must take leave of the House to put forward your amendment."

Permission to move the amendment was given.

Mr. C. V. VENKATARAMANA AYYANGAR :—

To clause 2 add the following sub-clause—

'the phrase "University students or students of the University" shall include the students of affiliated colleges.'

"This was exactly what was agreed to, and if you look into the proceedings, you will see that both the hon. the Director of Public Instruction and the hon. Member in charge of the Bill had both said that they would include it. It was only on that understanding that I withdrew that particular amendment, and I have also withdrawn a series of amendments where the phrase 'University students' occurred."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" I second the amendment."

Mr. C. P. RAMASWAMI AYYAR :—" Mr. President, we looked into the provisions of the Bill to see whether, at any place, the addition of such a definition as is now proposed would be incumbent so as to preclude any inequality or remove any difficulty, and we did not see any necessity for such a definition."

The amendment was put and lost.

5 p.m.

A poll was taken and the House divided as follows :—

Ayes.

- | | |
|---|------------------------------------|
| 1. Rao Bahadur A. S. Krishna Rao Pantulu. | 5. Rao Sahib U. Rama Rao. |
| 2. Mr. C. V. Venkataramana Ayyangar. | 6. Mr. M. R. Seturatnam Ayyar. |
| 3. Diwan Bahadur R. Venkataratnam Nayudu. | 7. " S. Arpudawami Udayar. |
| 4. Rai Bahadur T. M. Narasimhacharlu. | 8. " T. Arumainatha Pillai. |
| | 9. Rai Sahib E. C. M. Mascarenhas. |

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Noes.

- | | |
|--|--|
| 1. The hon. Sir Charles Toddhunter. | 22. Mr. W. Vijayaraghava Mudaliyar. |
| 2. " Khan Bahadur Sir Muhammad | 23. " P. C. Muttu Chettiyar. |
| 3. " Habib-ul-lah Sahib Bahadur. | 24. " A. T. Muttukumaraswami Chettiyar. |
| 4. " the Raja of Panagal. | 25. Rao Bahadur C. Natesa Mudaliyar. |
| 5. " Rao Bahadur A. P. Patro. | 26. " A. Ramayya Punja. |
| 6. Mr. C. P. Ramaswami Ayyar. | 27. Mr. W. P. A. Saundarapandiya Nadar. |
| 7. Rev. Dr. E. M. Macphail. | 28. " S. Somasundaram Pillai. |
| 8. Mr. R. G. Grieve. | 29. Dr. P. Subbarayan. |
| 9. Rao Bahadur K. Ramunni Menon. | 30. The Rev. W. Meston. |
| 10. Mr. E. F. Thomas. | 31. Mr. M. Ratnaswami. |
| 11. " E. Periyannayagam. | 32. " A. T. Palmer. |
| 12. " A. Ramaswami Mudaliyar. | 33. " K. Prabhakaran Taupan. |
| 13. Rao Bahadur T. A. Ramalinga Chettiyar. | 34. A. D. M. Bavotti Sahib Bahadur. |
| 14. Mr. K. Adinarayana Reddi. | 35. Munshi Muhammad Abdur Rahman Sahib Bahadur. |
| 15. " S. B. Y. Ankinedu Prasad. | 36. Saiyid Diwan Abdul-Razaak Sahib Bahadur. |
| 16. " R. Appaswami Nayudu. | 37. Khan Bahadur Muhammad Sadullah Badsha Sahib Bahadur. |
| 17. Rao Bahadur V. Appaswami Vandayar. | 38. Khan Bahadur Muhammad Usman Sahib Bahadur. |
| 18. Rao Bahadur T. Balajirao Nayudu. | |
| 19. Mr. C. Ramalinga Reddi. | |
| 20. Diwan Bahadur T. N. Sivagnanam Pillai. | |
| 21. Rao Bahadur O. Tanikachala Chettiyar. | |

The motion was lost, 9 voting for and 38 against.

The Preamble

The following amendments were not moved :—

Diwan Bahadur R. VENKATARATNAM NAYUDU :—

1. In paragraph 1 omit the words ' at Madras '.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—

2. In paragraph 2 omit the words ' within the limits of the University '.

Rai Bahadur T. M. NARASIMHACHARLU :—

3. In paragraph 3 for the word ' desirable ' substitute the word ' necessary '.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—

4. In paragraph 3 after the words ' And whereas it is desirable by the ' insert the word ' provision '.

Preamble

Diwan Bahadur R. VENKATARATNAM NAYUDU :—

5. In paragraph 3 omit the words ' outside the limits of the University '.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—

6. In paragraph 3 for the words ' prepare for the institution of ' substitute the word ' institute '.

Rao Sahib U. RAMA RAO :—

7. In paragraph 3 after the words ' to prepare for the ' insert the word ' early '.

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Mr. C. V. VENKATARAMANA AYYANGAR :—

8. *In paragraph 3, add at the end the following :—*
‘ at an early date ’.

The hon. Rao Bahadur A. P. PATRO :—“ Sir, I beg to move that the Bill be passed into law. The amendments that were proposed and carried have been incorporated in the Bill and the whole Bill has been surveyed by the Advocate-General so as to see whether any alterations were necessary. I thank the hon. Members for the very great interest they have evinced in the consideration of this Bill and I am particularly grateful to the Members for having brought forward so many suggestions for the judgment of the House. All the amendments have been very carefully discussed, and discussed at great length, and the House has adopted such of them as were found to be necessary and useful.

“ I have just one word to say, Sir, that in preparing the Bill and in placing it before this House for its acceptance, I was sincerely endeavouring to see that the fears that were entertained by the mufassal colleges that they would be placed in a very disadvantageous position after the passing of the Bill were allayed. I anxiously considered all aspects of their claims and as you will find, the Bill as amended, gives them every protection and every guarantee that they are not placed at a disadvantage. After all, one thing has to be remembered. The affiliating function of the University is only transitory and temporary and the provisions that we have adopted to-day will necessitate in the course of say five years a whole survey of the educational needs of this Presidency and the Senate will have to recommend to the Government such centres as will be fit places for starting new Universities. In the Academic Council, again, you will find a new aspect of the University, and I am sure the Academic Council, representing very strongly the mufassal colleges, will very well safeguard their educational interests. Again in the various bodies of the University, the mufassal colleges are very well represented. Therefore, every endeavour has been made to see that even during the transitory or temporary period there is not any disparity as was feared by the mufassal colleges. I can very well sympathize with them if they entertain any idea that because temporarily they are cut off from the University, their position is so much minimised and their importance will not be as large as it ought to be. But as the fundamental basis of this Bill is that the affiliating function of this University is temporary, every step will be taken to protect the mufassal interests during this period in such a way that University centres may be formed and developed so that these centres may be the nuclei of new Universities.

“ I need not detain the House by going through the various provisions of this Bill to show how they are necessary and how far they will help the educational advancement of this province. I have already stated in my opening speech how the provisions of the Bill, if accepted, will begin a new era in the educational advancement of this province with the co-operation of the affiliated colleges and the constituent colleges with the new University. And I hope that Members of this House and the management of the affiliated colleges outside—and I appeal also to the management of the constituent colleges—would co-operate with a view to bring together all available resources ; so that by co-operation a University of colleges may be established, that the Universities may express themselves through the colleges. When in

[Mr. A. P. Patro]

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any University any constituent college is not able to meet the demands of higher education in this province, then the University will have to provide help in making up such defects or deficiencies. It is in this way that we shall realize the ideal University life and the creation of an academic atmosphere, the professors of one college being able to be in touch with the other colleges; it is by such intercollegiate work, by closer association of the colleges and the University by the training of the youth, by the University not merely taking the responsibility of testing the training given in the colleges, but by taking an actual share in the training of the students and thereby establishing an educational standard that the University will secure the ultimate benefit of the people of this province. With these few words, I move that the Bill as amended be passed into law."

Rev. W. MESTON :—" Sir, as I was privileged to support the introduction of this Bill, I now feel it a privilege to second most heartily the motion for its being passed into law. In doing so, I may, with your indulgence, be permitted to refer to a personal reminiscence which may not altogether be foreign to this House. Over 29 years ago, Sir, in the senior F.A. class which it was then my good fortune to teach, there was a student who was marked out from his fellows by his width of interests, by his power of leadership, by his power of initiative and by his buoyancy of spirits. After he took his degree, Sir, and left the college benches, I followed his career with great interest as it went from professional into public duties, but I had hardly thought of any occasion when I should associate his name once again with benches but the occasion has come and he, who was marked out from his fellow students, I am glad and proud to say, now sits in the Ministerial Bench (cheers) as the Minister who has been responsible for the Bill which we are now seeking to pass into law, the hon. Mr. Patro. In his modesty, I do not think he will associate himself with the statesman Pitt, but I think there is one epithet of that statesman that Mr. Patro can apply himself to in this connexion. That is the epithet of the 'pilot who weathered the storm'. The hon. Minister has weathered the storm of much criticism and overcome a large number of difficulties, showing the qualities of his student days and a great many more in addition which the passage of years have brought to him, and in doing what he has done, he has won our admiration, Sir, I believe now, that in the Bill which has passed through so many criticisms, we have the foundations for great gain to education in this country, a Bill which is indeed a challenge to those of us who are engaged in education to make the very best of it, to work it to the fullest advantage. I cannot help thinking that if we work it properly, there will be hundreds, in the days to come, of the University in Madras, and of the rising universities which we hope to see inaugurated who will have much reason to be thankful for the passing of this measure and who will also express their gratitude, as we do now, to the framer and the pilot of this measure, the hon. Mr. Patro." (cheers).

Mr. C. RAMALINGA REDDI :—" Mr. President, as member for the University, please permit me to say a few words on this occasion. It is not without some emotion that I contemplate the resolution of the University which out of the abundance of its kindness sent me here as its representative. I am sure out of the ashes of the past a more glorious institution will arise. I congratulate the hon. Minister for Education for the patience, industry and talent which he brought to bear on the solution of the great question

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of higher education in our Presidency. It would be out of place were I, who am sitting in the what is known as the 'Justice Benches', to praise his work in this connexion. But I do think I shall not be committing the folly of exaggeration or flattery when I say that this Bill would be found to be a great and positive contribution towards the solution of the problem of University education in our Presidency, towards the inauguration of a new era in the history of education. Apart even from its own direct contribution, it is sure to set in motion by its indirect influence forces which are sure to develop higher education. It has succeeded in disturbing the placid calm which has continued all through now and ushered in causes which will not rest quiet until a higher and better institution for higher education is secured in our land. For these reasons I welcome the passing of this Bill and I hope that all the good wishes that we entertain towards the dawn of the new era will soon be fulfilled."

Rai Bahadur T. M. NARASIMHACHARLU :—" Sir, I rise also to support the passing of this Bill, and in doing so, I have certainly to give 5-15 p.m. all the credit that is deservedly due to the hon. the Minister for having piloted this Bill and weathered all the storm that has raged against it all along. I stretch my hand in fellowship to him, though I sit on the opposite bench (laughter), and congratulate him heartily on the bravery and adaptability he has shown in bringing about the consummation of this Bill into an Act. His powers are really very great and I know him pretty well as an old Congressman (laughter) and a colleague in the Congress keenly working for the benefit of the masses. The representative of the University, Mr. C. R. Reddi, reminded us that the Opposition Bench would do well to estimate the nature and the character of the work that the hon. Minister had done; and I have no hesitation in giving the entire credit for piloting this Bill so successfully to the hon. the Minister and the colleagues who laboured with him, namely, Mr. C. R. Reddi and others.

" Well, Sir, having said so much, it is my duty now to remind the hon. the Minister not to be merely content with that sympathy which all along has flowed, and flowed in abundance from his lips. Let it not be mere lip sympathy towards the mufassal colleges. I warn the hon. the Minister that should he be content with lip sympathy, he would bring down against him the curses of all the mufassal colleges, and his name would be handed down to posterity as the unmaker of collegiate education in the mufassal. Well, Sir, that is the only thing which I venture to suggest to him, so that he and the Government that is represented by him may do all that is possible to forward the interests of the mufassal colleges. At the same time I also request him most earnestly to spare as much money as possible for the furtherance of the objects of the Bill so as to reap the good results expected from it. I have nothing more to add, Sir, except wishing success to this new University Act."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, I crave your permission to associate myself with this motion. I may at the outset state that so far as this Bill and this House are concerned, there has been very little difference of opinion on either side of the House. Before I make a few suggestions, I wish to offer my hearty congratulations to the hon. the Minister

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for the manner in which he has been able to push through this Bill, notwithstanding the volume of opposition which it evoked soon after its publication. It will be found that with his enthusiasm for the cause of higher education in this country and with his earnestness and devotion, he has been able to secure co-operation from all classes of people and from all sections of this House, and to-day we see the end of his labours and the fruition of his desires in the matter of higher education.

“Sir, one thing which we have to bear in mind before we finally offer our blessings to this measure is to wish that he will have the strength and the ability to carry out the various measures which this Bill has provided for. The success of this measure and the far-reaching consequences which it is expected to produce will largely depend upon the fulfilment and upon the carrying out of three essential requisites, and I have not the slightest doubt that the hon. the Minister will be able to cope with that task and satisfy all the requirements. The first is this: that unless he is in a position to secure adequate funds for this new University, it will be impossible to hope that he will produce any better or any different results than those produced by the old University. The success of this Act will in the first place depend upon the way in which he comes to an understanding with the hon. the Finance Member and the whole Government in the matter of funds for carrying out the various reforms proposed.

“The second direction in which I am sure he will rise equal to the occasion is to take such practical steps as are necessary to grant liberal contributions, more liberal than hitherto to the affiliated colleges, so that they may feel a sense of security that their position will not be altered. If he should expect, as we all expect, additional funds for the working of the Madras University and if we all desire that finances will be allowed for the establishment of other universities, is it not necessary, is it not incumbent on the Government to provide additional funds for the affiliated colleges to enable them to show further improvement and to prepare themselves for the establishment of new Universities?

“The third condition which is also to be satisfied is that he should before long lay the foundations for the establishment of other universities. Schemes have been in progress and under consideration and it is for him now to see what steps he can take to see that the foundations are laid so deep as none can shake them and that on such foundations the new universities should be built. With these remarks, I support the motion.”

Khan Bahadur MUHAMMAD USMAN SAHIB :—“Mr. President, Sir, I rise to support this motion and in doing so, I should like to take this opportunity in offering our warmest congratulations to the hon. the Minister for Education on his piloting this Bill through this Council with great ability, tact and skill. In considering the various criticisms that have been levelled against this measure, he was quite ready and anxious to satisfy the real objections that were taken to the Bill. What he did was this. He held a number of conferences in his room with all persons interested in the Bill and in the cause of education and carefully explained to them all the provisions or other matters on which individual criticisms were based. He certainly took into his confidence all the various communities and interests that are at present represented in this Council. When he got himself assured of the support of the majority of the members of this House, then only he

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came forward with his Bill, and that is the reason why the first reading of the Bill was passed unanimously, and I am sure that this, the second reading of the Bill, will also be passed unanimously. It is really a great thing to know beforehand what the finding of the Legislative Council is likely to be before one brings forward a Bill, and in this respect my hon. friend, Mr. Patro, really deserves our warmest congratulations. Having played such a very important part in the framing of this Bill, I hope to be able to see him soon in the dignified robes of a Pro-Chancellor. He has still to play an important part when the new University is constituted. I am sure that this Bill is going to do much good to the country and I am quite sure we shall look upon Mr. Patro as one who has wielded the destinies of this country in the matter of education and brought forward a measure which will be productive of much good in the future. I once more offer our heartiest congratulations to the hon. the Minister for his success in piloting this Bill so successfully."

Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, Sir, a few words from me would not be out of place ; for the House will remember that I led the opposition when the Bill was introduced, and that at each succeeding stage, I opposed several provisions of this Bill. But I represent a community, Sir, that fights, that resists and protests against a measure, but when that measure is passed into law is the first to accept it, bow to it, carry out its provisions to the best of its ability and work to obtain all the good derivable from it. I can, therefore, very well and logically admire the tactical ability and managing power of the hon. the Minister for Education ; and I hope that he will remember all those fears which were expressed not only by me but by other Members with regard to the future of mufassal colleges and that he will rise above all prejudices and see that the minorities and their educational claims will receive his best attention and that in carrying out the provisions of this Bill he will see that no room whatever is given for any of those serious apprehensions entertained by the mufassal colleges."

The hon. the DEPUTY PRESIDENT :—" I offer, on behalf of the chair, hearty congratulations to the hon. the Minister upon his achievement."

The motion that the Bill be passed into law was then put and carried.

The hon. the DEPUTY PRESIDENT :—" I was asked by the hon. the President to announce that the Council will adjourn day after to-morrow evening, and that meetings will be held to-morrow and the day after to-morrow, and we expect much of the non-official business will be pushed through."

The House then adjourned at 5-35 p.m. to meet again at 11 a.m. the next day.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.